

Environmental Report (ER) and Environmental Assessment (EA) Template

06-25-2019

Wisconsin Department of Transportation

Project Summary

Project ID 1228-22-00		Project Termini I-43 from Brown Street to Capitol Drive		Funding Sources (check all that apply) <input checked="" type="checkbox"/> Federal <input checked="" type="checkbox"/> State <input type="checkbox"/> Local	
Construction ID 1228-22-70		Nearest Municipality City of Milwaukee		Estimated Total Project Cost (design, construction, real estate, etc). Include delivery cost in Year of Expenditure (YOE). 45,000,000 in 2023/2024 dollars	
Route Designation (if applicable) I-43 North - South		National Highway System (NHS) Route <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Real Estate Acquisition Portion of Estimated Cost (YOE) 0 in dollars	
County Milwaukee County		Section / Township / Range T7N R22E Sec. 8, 17, 20		Utility Relocation Portion of Estimated Cost (YOE) 0 in dollars	
Project Title I-43 North – South, Brown Street to Capitol Drive				Right of Way Acquisition	
Bridge Number(s) (if applicable) B-40-215 (Brown Street) B-40-209 (Wright Street) B-40-208 (Center Street) B-40-207 (Locust Street) B-40-206 (Burleigh Street)		For an ER, indicate the date of the first tribal notification letter. 07/17/2020 For an EA, indicate the date the Process Initiation Letter (PIL) was accepted by FHWA.		Acres	
				Fee 0	
				TLE 0	
				PLE 0	
Functional Classification of Existing Route (FDM 4-1-10 & 4-1-15)			WisDOT Project Classification (FDM 3-5)		
	Urban	Rural			
Freeway/Expressway	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Perpetuation – Preservation/Restoration <input type="checkbox"/>		
Principal Arterial	<input type="checkbox"/>	<input type="checkbox"/>	Perpetuation – Resurfacing <input checked="" type="checkbox"/>		
Minor Arterial	<input type="checkbox"/>	<input type="checkbox"/>	Perpetuation – Bridge Rehabilitation <input checked="" type="checkbox"/>		
Major Collector	<input type="checkbox"/>	<input type="checkbox"/>	Rehabilitation - Reconditioning <input type="checkbox"/>		
Minor Collector	<input type="checkbox"/>	<input type="checkbox"/>	Rehabilitation – Pavement Replacement <input type="checkbox"/>		
Local	<input type="checkbox"/>	<input type="checkbox"/>	Rehabilitation - Bridge Replacement <input type="checkbox"/>		
No Functional Class	<input type="checkbox"/>	<input type="checkbox"/>	Modernization - Reconstruction <input type="checkbox"/>		
Other	<input type="checkbox"/>	<input type="checkbox"/>	Modernization - Expansion <input type="checkbox"/>		
			Preventative Maintenance <input type="checkbox"/>		
			State Majors <input type="checkbox"/>		
			Other – Describe: <input type="checkbox"/>		
<input checked="" type="checkbox"/> FHWA Draft Categorical Exclusion (CE)/WisDOT Draft Environmental Report (ER). No significant impacts indicated by initial assessment. <input type="checkbox"/> FHWA/WisDOT Environmental Assessment (EA). No significant impacts indicated by initial assessment.					
 <u>Caron Kloster/Senior Planner/HNTB Corp 6/13/2022</u> (Print – Preparer Name, Title, Company/Organization) (Date – m/d/yy)					
 <u>Amanda Johansen, Project Manager 6/13/2022</u> (Signature, Title) (Date – m/d/yy)					
<input checked="" type="checkbox"/> Region <input type="checkbox"/> Aeronautics <input type="checkbox"/> Railroads & Harbors					

A Public Hearing was not required. After reviewing and addressing substantive public comments and coordinating with other agencies, it is determined this action:

- Will NOT significantly affect** the quality of the human environment. This document is a Final CE/Final ER.
- Will NOT significantly affect** the quality of the human environment. This document is a Final EA/Finding of No Significant Impact (FONSI).
- Has potential to significantly affect** the quality of the human environment. Draft Environmental Impact Statement (EIS) required.

A Public Hearing was held, and after reviewing and addressing substantive public comments, updating the Draft CE/ER or EA and coordinating with other agencies, it is determined this action*:

- Will NOT significantly affect** the quality of the human environment. This document is a Final CE/Final ER.
- Will NOT significantly affect** the quality of the human environment. This document is a Final EA/Finding of No Significant Impact (FONSI).
- Has potential to significantly affect** the quality of the human environment. Draft Environmental Impact Statement (EIS) required.

Caron Kloser/Senior Planner/HNTB Corp 6/13/2022
 (Print Preparer Name, Title, Company/Organization) (Date m/d/yy)

Barry Page 06/14/2022
 (Signature) (Title: Technical Services) (Date - m/d/yy)

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 Region Aeronautics Railroads & Harbors

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 (Signature, Title) (Date - m/d/yy)
 FHWA FAA FTA FRA

*Include Environmental Document Availability and Hearing Summary following this page.

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2. Abbreviations and Acronyms:

(A)ADT – (Annual) average daily traffic	NHPA - National Historic Preservation Act
AAWT – Average annual weekday traffic	NHS – National Highway System
ACHP – Advisory Council on Historic Preservation	NLC – Noise level criteria
ACS – American Community Survey	NLEB – Northern long-eared bat
ADID – Advanced Identification (Wetlands)	NR – refers to Wisconsin Administrative for Natural Resources
AHI – Architecture & History Inventory	NPDES – National Pollutant Discharge Elimination System
AOP – Aquatic Organism Passage	NRHP – National Register of Historic Places
APE – Area of potential effects	O3 – Ozone
ATR – Automatic Traffic Recorder	PCB – Polychlorinated Biphenyls
BMP – Best management practices	PCE - Perchloroethylene/tetrachloroethylene
BTS - WisDOT Bureau of Technical Services	PCI – Pavement condition index
CE-PA - Programmatic Agreement between FHWA and WisDOT Regarding the Processing of Actions Classified as Categorical Exclusions for Federal-Aid Highway Projects	PCN – Pre-Construction Notification
CFR – Code of Federal Regulations	PI – Public Involvement
CWA – Clean Water Act	PIM – Public involvement meeting
DATCP - Department of Agriculture, Trade and Consumer Protection	PIP – Public involvement plan
DOA – Department of Administration	PLE – Permanent limited easement
DHV – Design hourly volume	PM _{2.5} – Fine particulate matter, 2.5 microns or less
DNR – Wisconsin Department of Natural Resources	PS&E – Plans, specifications and estimates
DRO – Diesel Range Organics	RCLs – Residual Contaminant Levels in NR 720
EA - Environmental Assessment	REC – Region environmental coordinator
EAB – Emerald ash borer	ROW – Right of way
ECIP - Erosion control implementation plan	RTP – Regional Transportation Plan
EJ – Environmental justice	Section 106 – Section 106 of the National Historic Preservation Act
EO – Executive order	Section 4(f) – Section 4(f) of the U.S. Department of Transportation Act of 1966
EPA – United States Environmental Protection Agency	Section 6(f) – Section 6(f) of the Land and Water Conservation Fund Act
EPDS - WisDOT Environmental Process and Documents Section	SEWRPC – Southeast Wisconsin Regional Planning Commission
ER – Environmental Report	SHPO – Wisconsin State Historic Preservation Office
ESA – Endangered Species Act	SIP – State implementation plan
FDM – WisDOT Facilities Development Manual	SSD – Stopping site distance
FEMA – Federal Emergency Management Agency	STIP – State transportation improvement program
FHWA – Federal Highway Administration	STSP – Standard Special Provision
FIRM – Flood Insurance Rate Map	SVOC – Semi Volatile Organic Compounds
GRO – Gasoline Range Organics	T&E – Threatened and endangered species
HMA – Hazardous Materials Assessment	TCGP – Transportation Construction General Permit
IPaC – United States Fish and Wildlife’s Information, Planning, and Consultation System	TIP – Transportation improvement program
LWCF – Land and Water Conservation Funds	Title VI – Title VI of the Civil Rights Act of 1964
LOS – Level of service	TLE – Temporary limited easement
MOA - Memorandum of agreement	TMDL – Total maximum daily load
MCTS – Milwaukee County Transit System	TMP – Transportation management plan
MEV – Million entering vehicles	TRANS 400 – Wisconsin Administrative Code for the Wisconsin Environmental Policy Act
MPH – Miles per hour	TRGP - Transportation Regional General Permit
MPO – Metropolitan planning organization	TS4 - Transportation Separate Storm Sewer System Permit
MS4 - Municipal Separate Storm Sewer System permit	TSS – Total Suspended Solids
MSAT – Mobile source air toxics	USC – United States Code
MVM – Million vehicle miles	USACE – United States Army Corps of Engineers
NAAQS – National Ambient Air Quality Standards	USCG – United States Coast Guard
NBI – National Bridge Inventory	USFWS – United States Fish and Wildlife Service
NEPA – National Environmental Policy Act	UST – Underground Storage Tank
NFIP – National Flood Insurance Program	URT – Union Refrigerator Transit Line
NHL – National Historic Landmark	

VMT – vehicle miles of travel
 VOC – Volatile Organic Compounds
 VPD – Vehicles per Day
 VPH – Vehicles per Hour
 WDNR – Wisconsin Department of Natural Resources

WHS – Wisconsin Historical Society
 WEPA – Wisconsin Environmental Policy Act
 WisDOT - Wisconsin Department of Transportation
 WPDES – Wisconsin Pollutant Discharge Elimination System
 WQC – Water Quality Certification
 YOY – Year of expenditure

3. Document Type:

The I-43 North South, Brown Street to Capitol Drive project (Project) meets the requirements for a Categorical Exclusion as listed under 23 CFR 771.117(a) and (b), as defined by FHWA. This project can then be classified under 23 CFR 771.117(c) Actions as (c)(26).¹ Typically, projects that are classified as (c)(26) may be processed using a Categorical Exclusion Checklist. However, per the Programmatic Agreement between FHWA and WisDOT Regarding the Processing of Actions Classified as Categorical Exclusions for Federal-Aid Highway Projects² (CE-PA), this project falls section V. C. in the CE-PA, which requires WisDOT to consult with FHWA to determine the appropriate class of action for environmental analysis and documentation. At a meeting on 10/30/18, WisDOT and FHWA agreed an Environmental Report would be appropriate documentation for this project.

4. Environmental Document Statement:

This environmental document is an essential component of the National Environmental Policy Act (NEPA) and/or Wisconsin Environmental Policy Act (WEPA) project development process, which supports and complements public involvement and interagency coordination.

The environmental document is a full-disclosure document which provides a description of the purpose and need for the proposed action, the existing environment, analysis of the anticipated beneficial or adverse environmental effects resulting from the proposed action and potential mitigation measures to address identified effects. This document also allows others the opportunity to provide input and comment on the proposed action, alternatives and environmental impacts. Finally, it provides the decision maker with appropriate information to make a reasoned choice when identifying a preferred alternative.

This environmental document must be read entirely so the reader understands the reasons that one alternative is identified as the preferred alternative over other alternatives considered.

5. Fiscal Constraint:

For federally-funded actions, indicate whether the project is included in the most recent version of the WisDOT Statewide Transportation Improvement Program (STIP) or included in a STIP amendment:

<input type="checkbox"/>	The proposed action will not require FHWA funding and/or approval.
<input type="checkbox"/>	The proposed action will use FHWA funds and/or require an FHWA approval and it is included in the most recent version of the STIP or included in a STIP amendment – Indicate the name of the STIP or STIP amendment, the portion of the proposed project funded and the page number on which the project can be found:
<input checked="" type="checkbox"/>	For projects in a Metropolitan Planning Area, the proposed action will use FHWA funds and/or require an FHWA approval and it is included in the most recent version of the Transportation Improvement Plan (TIP) or included in a TIP amendment – Indicate the name of the TIP or TIP amendment, the portion of the proposed project funded and the page number on which the project can be found: The Project is listed as TIP #15 in the December 2020 Transportation Improvement Program for Southeastern Wisconsin: 2021-2024.

6. Purpose and Need:

The Wisconsin Department of Transportation (WisDOT) Southeast Region is evaluating alternatives and conducting an environmental analysis for the proposed rehabilitation of I-43 and its service interchanges between Brown Street and Capitol Drive (the Project) in Milwaukee County. See project location map in **Appendix A**.

As determined with FHWA in a project meeting on October 30, 2018, there are two projects with logical termini in the I-43 corridor;

¹ (c)(26) Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes (including parking, weaving, turning, and climbing lanes), if the action meets the constraints in paragraph (e) of this section.

² <https://wisconsindot.gov/Documents/doing-bus/eng-consultants/cnslt-rsrces/environment/CEprogrammaticagreement.pdf>. Executed August 7, 2020.

the southern section between Brown Street and Capitol Drive, which is the subject of this Environmental Report (ER). Project needs for this section are focused on the pavement condition along I-43 and maintenance of the bridges over I-43. A northern section of I-43 was also discussed during the meeting, this section is located between Capitol Drive and Hampton Avenue. Needs of this section are focused on structures on I-43 including four structures carrying I-43 traffic and two that carry I-43 ramp traffic. One notable structure carrying I-43 traffic is structure B-40-115, a 1,460 foot long 12-span bridge that spans an abandoned railroad corridor, formally known as the Union Refrigerator Transit Line. During the October 30, 2018 meeting WisDOT and FHWA determined the needs of each project were different enough that logical termini could be identified for each project and they could be advanced as separate actions. The proposed action for this section of I-43 will not restrict consideration of alternatives developed for future improvements to a northern section of I-43 between Capitol Drive and Hampton Avenue. WisDOT completed an Environmental Report (ER) in March 2020 for the northern section. The selected alternative for the northern section is independent of the proposed action between Brown Street and Capitol Drive. Construction on the northern section began in 2021.

Purpose and Need

The purpose of the Project is to address deteriorating pavement and structure conditions and substandard traffic operations to maintain safe and efficient vehicular movement along I-43 between Brown Street and Capitol Drive.

This Project is intended to primarily address the most critical needs of I-43 consistent with WisDOT’s asset management strategies and bridge preservation policy while not precluding future modernization needs as recommended in the Southeast Wisconsin Regional Planning Commission’s (SEWRPC) Vision 2050 land use and transportation plan. Future modernization needs, and related alternatives and NEPA analyses will be addressed as a separate study under a future I-43 corridor project.

Project needs are broken into two categories, primary needs and secondary needs. Primary needs are directly related to the purpose of the project. Alternative development will be focused on addressing these primary needs. Secondary needs are not included as part of the purpose of the project but are present along the corridor. The secondary needs will be considered during alternative development and screening and addressed to the extent practicable.

Needs

The need for the Project is related to poor pavement and structural deficiencies of the I-43 between Brown Street to Capitol Drive. Other related traffic volume, geometric and safety needs are also identified that the Project should address within the context of addressing structural and pavement deficiencies.

Primary Needs

Pavement Condition

The original pavement in the I-43 Project corridor is over 50 years old. WisDOT resurfaced the pavement in 1982, and most recently, in 2002. Each resurfacing has a shorter life span because the original pavement, still in place, provides a less effective base as it continues to crack and deteriorate. A condition called “faulting” occurs in the joints that cross the roadway as slabs of concrete are pushed up at slightly different elevations, making for an uneven driving surface.

WisDOT uses the Pavement Condition Index (PCI) method to rate pavement condition based on visual signs of pavement distress (see **Table 1** for rating descriptions). In 2018, the PCI ranged from 89 (good) to 62 (fair) on I-43 northbound (NB) and ranged from 87 (good) to 70 (fair) on I-43 southbound (SB). The 2024 projections indicate the PCI rating will range from 57 (fair) to 44 (poor) on I-43 NB and ranging from 57 (fair) to 46 (poor) on I-43 SB.

Table 1: Pavement Condition Index

Rating	Descriptor
100-85	Good
85-70	Satisfactory
70-55	Fair
55-40	Poor
40-25	Very Poor

Structural Deficiencies

This section discusses the existing condition of structures along the Project corridor based on the latest WisDOT Bridge Inspection

Reports and the National Bridge Inventory (NBI) condition rating system.³ NBI condition ratings range from 0 (failed condition) to 9 (excellent condition). According to the WisDOT *Bridge Preservation Policy Guide (2016)*, “bridges with a condition rating of poor (NBI Rating < 5) are considered deficient. Deficient bridges that are open for operations are safe; however, these structures may need corrective action to ensure current and future operation.”

The I-43 corridor between Brown Street and Capitol Drive has bridge structures that were originally constructed between 1963 and 1967. Five of the structures have reached a point where major rehabilitation will be required in the near future. One bridge within the Project limits has an NBI deck rating of 4, indicating the bridge is deficient. Also, recent bridge inspection reports for the corridor indicated additional bridge maintenance and repair needs. The condition of the five structures within the Project limits are summarized below from south to north.

B-40-215: West Brown Street over I-43

Structure B-40-215 is a 288-foot long four-span bridge along Brown Street over I-43. The bridge has two lanes that carry eastbound and westbound traffic on Brown Street over I-43. In 2016, the Annual Average Daily Traffic (AADT) was 2,000 on the bridge, and the 2019 AADT was 168,000 under the bridge. Originally constructed in 1967, the bridge has subsequently received new pedestrian fencing in 1969 and an asphalt overlay in 1998.

The April 2019 bridge inspection report identified several maintenance and repair needs for this bridge. The report identified repair of loose concrete at deck overhangs as a high priority need. Other maintenance concerns included bearing corrosion, railing damage, transverse cracks and delamination on the deck, and corrosion and paint failure on the girders. The NBI condition ratings, per the inspection report, are listed in **Table 2**.

Table 2: NBI Condition Ratings for B-40-215

Bridge Element	Rating (April 2019)
Deck	6 (satisfactory condition)
Superstructure	5 (fair condition)
Substructure	6 (satisfactory condition)

B-40-209: West Wright Street over I-43

Structure B-40-209 is a 221-foot long four-span bridge on Wright Street over I-43. The bridge has two lanes that carry eastbound and westbound traffic on Wright Street over I-43. In 2016, the AADT on the bridge was 1,400. In 2019, the AADT under the bridge on I-43 was 166,000. Originally constructed in 1965, the bridge subsequently received an asphalt overlay in 1998.

The April 2019 inspection report identified various maintenance needs including the repair of spalling and cracks at abutments, cracks in columns and pier caps, and expansion joints cleaning. The report also recommended a concrete overlay and painting of the structure. In addition, Level 1 infrared survey results from a June 2016 survey showed 5-10 percent delamination on the deck. The NBI condition ratings, per the inspection report, are shown in **Table 3**.

Table 3: NBI Condition Ratings for B-40-209

Bridge Element	NBI Rating (April 2019)
Deck	6 (satisfactory condition)
Superstructure	6 (satisfactory condition)
Substructure	6 (satisfactory condition)

B-40-208: West Center Street over I-43

Structure B-40-208 is a 201-foot long four-span bridge on Center Street over I-43. The bridge has two eastbound through lanes, two westbound through lanes, and a westbound left turn lane onto North 8th Street. In 2016, the AADT on the bridge was 9,400. In 2019, the AADT under the bridge on I-43 was 166,000. Originally constructed in 1963, the bridge has subsequently received a concrete overlay in 1988, a new deck in 2003, and superstructure repair and spot painting in 2018.

The April 2019 inspection report identified high priority maintenance needs including repair of cracks and spalls in columns and pier caps, and the need for structure repainting. Other needs included repositioning of the expansion bearings and sealing the cracks at

³ The NBI condition rating for structures is defined by Report FHWA-PD-96-001, Recording and Coding Guide for the Structure Inventory and Appraisal of the Nation’s Bridges.

the approaches. The NBI condition ratings, per the inspection report, are shown in **Table 4**.

Table 4: NBI Condition Ratings for B-40-208

Bridge Element	NBI Rating (April 2019)
Deck	7 (good condition)
Superstructure	6 (satisfactory condition)
Substructure	5 (fair condition)

B-40-207: West Locust Street over I-43

Structure B-40-207 is a 198-foot long four span bridge on Locust Street over I-43. The bridge has two eastbound through lanes, two westbound through lanes, and two westbound left turn lanes onto North 8th Street and the I-43 southbound entrance ramp. In 2016, the AADT on the bridge was 6,300. In 2019, the AADT under the bridge on I-43 was 154,000. Originally constructed in 1964, the bridge subsequently received a concrete overlay in 1988.

The April 2020 inspection report identified various maintenance needs including patching the concrete overlay due to cracking and spalling, repair broken bolts on the bearings, and repair undermined slope paving. In addition, a July 2008 Level 1 infrared survey indicated 50 to 55 percent delamination on the bridge deck. The NBI condition ratings listed in **Table 5**, per the inspection report, indicate that based on a deck rating of 4 (poor condition) the bridge is structurally deficient.

Table 5: NBI Condition Ratings for B-40-207

Bridge Element	NBI Rating (April 2020)
Deck	4 (poor condition)
Superstructure	5 (fair condition)
Substructure	6 (satisfactory condition)

B-40-206: West Burleigh Street over I-43

Structure B-40-206 is a 205-foot long four span bridge on Burleigh Street over I-43. The bridge has two eastbound through lanes, two westbound through lanes, and eastbound and westbound left turn lanes onto North 7th Street and North 8th Street, respectively. In 2016, the AADT on the bridge was 6,300. In 2019, the AADT under the bridge on I-43 was 154,000. Originally constructed in 1963, the bridge subsequently received a concrete overlay in 1988.

The April 2019 inspection report identified various maintenance needs including replacing a missing electrical box (high priority), replacing a missing light pole cover plate, and repairing all four approaches. In addition, a July 2008 Level 1 infrared survey indicated 45 to 50 percent delamination on the bridge deck, with numerous large delamination areas observed. The NBI condition ratings, per the inspection report, are shown in **Table 6**.

Table 6: NBI Condition Ratings for B-40-206

Bridge Element	NBI Rating (April 2019)
Deck	5 (fair condition)
Superstructure	6 (satisfactory condition)
Substructure	5 (fair condition)

Secondary Needs

Traffic Volume

As shown in **Table 7** existing (2019) traffic volumes on I-43 in the Project corridor range between 132,000 AADT between Keefe Avenue and Capitol Drive and 168,000 AADT between WIS 145 and North Avenue. Traffic volumes in the design year, 2050, are projected to increase to 144,276 AADT between Keefe Avenue and Capitol Drive and 181,541 between WIS 145 and North Avenue, a 9.3 and 8.1 percent increase at the Project locations, respectively. 2019 traffic volumes are the best available data for the corridor. WisDOT monitored freeway traffic volumes for the entire Milwaukee area on a monthly basis through the end of calendar year 2021 due to the COVID-19 pandemic. Monthly traffic volume monitoring ceased because WisDOT concluded traffic volumes have generally returned to normal. At the end of 2021, AM peak volumes were down 5-10 percent from pre-pandemic levels, but mid-day and PM peak volumes had returned to pre-pandemic levels, this trend is expected to continue.

Table 7: I-43 Traffic Volumes

	2019 AADT	2050 AADT	Percent Change
WIS 145 to North Avenue	168,000	181,541	8.1
North Avenue to Locust Street	166,000	177,321	6.8
Locust Street to Keefe Avenue	154,000	165,935	7.8
Keefe Avenue to Capitol Drive (Exit to Capitol (EB) to Exit to Green Bay Ave)	132,000	144,276	9.3

Source: SEWRPC

Table 8 and **Table 9** summarize the level of service (LOS) for northbound and southbound I-43, respectively, for existing (2019) and future No Build (2050) conditions during the morning (AM) and afternoon (PM) peak hours.⁴ LOS is a quantitative measure that refers to the overall quality of traffic flow ranging from very good (LOS A) to very poor (LOS F). LOS D is used to define desirable peak hour operating conditions for the Project corridor mainline and interchange ramps.

Under existing (2019) conditions, I-43 generally operates between LOS D and E in the northbound direction and between LOS D and F in the southbound direction during the AM and PM peak hours.

The peak hour analysis indicates that I-43 southbound is generally more congested during the AM peak hour and I-43 northbound is generally more congested during the PM peak hour. These conditions are primarily due to directional congestion of traffic during the peak hours (AM inbound to downtown area and PM outbound from downtown area). The congestion reflects the limited lanes available for the volume of AM and PM traffic and substandard geometric designs (e.g., entrance ramp lengths, horizontal curves, pavement conditions).

On I-43 southbound, traffic operates between 29 miles per hour (mph) and 65 mph during the AM and PM peak hours. Slow speeds (41 mph or less) regularly occur along I-43 southbound between Green Bay Road entrance ramp and Locust Street exit ramp, Locust Street exit ramp to Locust Street entrance ramp, and during the weekday AM peak hour as peak period traffic demand exceeds the capacity of the corridor.

On I-43 northbound, traffic generally operates between 49 mph and 64 mph during the AM and PM peak hours as traffic is metered by upstream congestion outside the Project limits. The northbound North Avenue entrance ramps, Locust Street entrance and exit ramps, Keefe/Atkinson Avenue entrance and exit ramps, Capitol Drive exit ramps, and Green Bay Avenue exit ramp operate at LOS E in the AM and/or PM peak hours. The LOS E is primarily due to the short, tapered design of the deceleration lane and mainline traffic demand that is at or near capacity in this area.

The future No Build (2050) scenario assumes I-43 will remain in its existing configuration. Operations generally degrade from existing (2019) peak hour conditions due to the increased future traffic traveling through the already congested six-lane corridor. Overall, both the northbound and southbound 2050 AM and PM peak hour traffic declines to LOS F. I-43 is expected to be congested based on future year volumes and turbulence created by adjacent ramp merge and diverge operations.

Table 8: Northbound I-43 Level of Service

Section	2019		2050	
	AM Peak	PM Peak	AM Peak	PM Peak
WIS 145 Entrance to North Avenue Exit	C	C	F	F
North Avenue Exit to North Avenue Entrance (4LN)	C	C	F	F
North Avenue Exit to North Avenue Entrance (3LN)	D	D	F	F
North Avenue Entrance	D	E	F	F
North Avenue Entrance to Locust Street Exit	E	E	F	F
Locust Street Exit	E	E	F	F
Locust Street Exit to Locust Street Entrance	E	E	F	F
Locust Street Entrance	D	E	F	F

⁴ Based on traffic counts, the weekday morning (AM) peak hour was identified as 6:45-7:45 AM, and the weekday afternoon (PM) peak hour was identified as 4:30-5:30PM for existing and future conditions.

Section	2019		2050	
	AM Peak	PM Peak	AM Peak	PM Peak
Locust Street Entrance to Keefe/Atkinson Avenue Exit	E	E	F	F
Keefe/Atkinson Avenue Exit	E	E	F	F
Keefe/Atkinson Avenue Exit to Keefe/Atkinson Avenue Entrance	E	E	F	F
Keefe/Atkinson Avenue Entrance	D	E	F	F
Keefe/Atkinson Avenue Entrance to Capitol Drive Exit	E	E	F	F
Capitol Dr Exit	E	E	F	F
Capitol Drive Exit to Green Bay Avenue Exit	D	E	D	F
Green Bay Avenue Exit	D	E	D	F
Green Bay Avenue Exit to Fiebrantz Avenue Entrance	D	D	C*	D

*The improved traffic operations in 2050 is based on the assumption that I-43 north of Capitol Drive is built under the No-Build condition between Brown Street and Capitol Drive.

Table 9: Southbound I-43 Level of Service

Section	2019		2050	
	AM Peak	PM Peak	AM Peak	PM Peak
Green Bay Road Exit to Green Bay Road Entrance	D	C	F	D
Green Bay Road Entrance	F	C	F	D
Green Bay Road Entrance to 8 th Street Exit	F	D	F	D
8 th Street Exit	F	D	F	D
8 th Street Exit to 9 th Street Entrance	F	D	F	D
9 th Street Entrance	F	D	F	D
9 th Street Entrance to 8 th Street Entrance	F	D	F	E
8 th Street Entrance	F	D	F	D
8 th Street Entrance to Locust Street Exit	F	D	F	E
Locust Street Exit	F	D	F	E
Locust Street Exit to Locust Street Entrance	F	D	F	E
Locust Street Entrance	F	D	F	D
Locust Street entrance to North Avenue Exit	F	D	F	E
North Avenue Exit	F	D	F	E
North Avenue Exit to North Avenue Entrance	D	D	F	D
North Avenue Entrance	D	C	D	C
North Avenue Entrance to WIS 145 Exit	D	C	D	D

Design Deficiencies

I-43 infrastructure, originally constructed in 1965, does not meet current freeway design standards. The I-43 corridor between Brown Street and Capitol Drive includes the following roadway design deficiencies:

- The ramps at North Avenue, Locust Street and Keefe Avenue have substandard acceleration and deceleration lanes for entering and exiting the freeway.
- Between Atkinson Avenue and Capitol Drive, I-43 does not meet the standards for inside shoulder (five feet) and outside shoulder (ten feet) width. A twelve-foot paved width is standard for both inside and outside shoulders.
- Seven of the eight horizontal curves on I-43 mainline do not meet design standards for horizontal alignment.
- Throughout the entire corridor, I-43 has substandard sag vertical and vertical crest curves.
- The four ramps at the North Avenue interchange do not meet vertical geometry standards. Three of the four ramps at North Avenue do not meet horizontal geometry standards.
- The four ramps at the Locust Street interchange do not meet horizontal geometry standards. Three of the four ramps at Locust Street do not meet vertical geometry standards.
- The four ramps at the Keefe Avenue interchange do not meet horizontal or vertical geometry standards.

These deficiencies contribute to the existing high crash rates and congestion along the corridor and impact vehicular travel safety.

Safety

WisDOT completed an analysis to assess the Project corridor’s safety, as shown in **Table 10**. Between 2013 and 2017, the Project corridor overall exhibited crash rates higher than the statewide average of 112.7 crashes per 100 million vehicle miles traveled (MVMT). The southbound lanes between Keefe Avenue and Capitol Drive had a crash rate over twice the statewide average rate at 274.7 crashes per 100 MVMT.

Between 2013 and 2017, rear-end crashes resulting from congested operations accounted for 36 percent of all crashes and sideswipe crashes account for about 18 percent of all crashes in the Project corridor between Brown Street and Capitol Drive.

In the northbound direction, single-vehicle crashes (crashes only involving one vehicle) account for over a fifth (21%) of the crashes from Brown Street to Capitol Drive. Over a third (37%) of the single-vehicle crashes are due to excessive speed.

Table 10: I-43 Project Corridor Crash Rates from 2013-2017

Roadway Section	Crash Rate* (crashes/100M VMT)
I-43 Northbound: North Avenue to Locust Street	143.2
I-43 Northbound: Locust Street to Keefe Avenue	80.8
I-43 Northbound: Keefe Avenue to Capitol Drive	161.1
I-43 Northbound: Brown Street to Capitol Drive	122.8
I-43 Southbound: Keefe Avenue to Capitol Drive	274.7
I-43 Southbound: Locust Street to Keefe Avenue	182.7
I-43 Southbound: North Avenue to Locust Street	160.4
I-43 Southbound: Brown Street to Capitol Drive	192.1

*Rates in bold exceed the overall state average crash rate (2013-2017) of 112.7.

Between 2013 and 2017, several crashes occurred at the freeway interchange exit ramps due to poor geometry that increase the potential for driver error (See **Table 11**). Of the exit ramp crashes between Brown Street and Capitol Drive eight crashes were side swipe same direction (SSS) crash collision type, twelve were single-vehicle crashes, one was a side swipe with vehicle heading in the opposite direction, and twenty were rear-end crash collision type. The SSS collisions are related to lane changing at the ramps. The single-vehicle collisions may be related to the ramp design. Rear-end collisions are usually related to high volume traffic and congested conditions.

Sixty-six percent of the ramp crashes occur at three locations: North Avenue southbound entrance ramp, Keefe Avenue northbound exit ramp, and 8th Street northbound exit ramp.

The Keefe Avenue northbound exit ramp experienced a higher crash rate at 0.90 million entering vehicles (MEV) with substandard geometric design, lack of signage and no auxiliary lane being possible factors contributing to crashes.

Table 11: Ramp Crash Locations (2013-2017)

Ramp Location	Total Ramp Crashes	Crash Rate (MEV)
Keefe Avenue NB Exit Ramp	9	0.90
Keefe Avenue SB Entrance Ramp	2	0.21
Locust Street NB Entrance Ramp	1	0.10
Locust Street NB Exit Ramp	3	0.20
Locust Street SB Exit Ramp	2	0.22
Locust Street SB Entrance Ramp	4	0.24
North Avenue NB Entrance Ramp	2	0.14
North Avenue SB Exit Ramp	0	0.00
8th Street NB Exit Ramp	8	0.60
North Avenue SB Entrance Ramp	10	0.67

7. Summary of Alternatives:

The following alternatives were considered for the Project.

No-Build Alternative

Under the No-Build Alternative, the freeway remains as a six-lane facility and the mainline, bridges, ramps and shoulders would not be improved. The No-Build Alternative does not meet the purpose and need for the Project because the pavement and bridges would continue to deteriorate. Additionally, the No-Build Alternative would not address traffic operation and safety issues associated with substandard acceleration and deceleration lanes at ramps and increasing traffic volumes along the corridor. This alternative serves as the baseline for comparison to the Build Alternatives.

Build Alternative 1: Rehabilitation - Mill and Overlay and Bridges

Build Alternative 1, Rehabilitation, addresses pavement condition and bridge maintenance needs while maintaining the existing freeway configuration as a six-lane facility along I-43 between Brown Street and Capitol Drive. This alternative mills and overlays the mainline, shoulders and ramps with asphalt pavement, patches the base and repairs joints and cracks. The alternative also rehabilitates five bridges as summarized in **Table 12**. The three existing 12-foot mainline lanes remain under this alternative.

Build Alternative 1 addresses pavement condition and bridge maintenance needs. It does not meet the secondary need of addressing substandard traffic operations to maintain safe and efficient vehicular movement along I-43 between Brown Street and Capitol Drive because the roadway configuration would remain the same configuration as the existing condition.

Table 12: Proposed Bridge Improvements (Applies to all Build Alternatives)

Bridge ID	Location	Proposed Action*
B-40-215	Brown Street bridge over I-43 mainline	Concrete deck overlay and paint
B-40-209	W. Wright Street bridge over I-43 mainline	Concrete deck overlay and paint
B-40-208	Center Street bridge over I-43 mainline	Paint
B-40-207	W. Locust Street bridge over I-43 mainline	Deck replacement and paint
B-40-206	W. Burleigh Street bridge over I-43 mainline	Deck replacement and paint

*Bridge improvements apply to all Build Alternatives.

Build Alternative 2: Rehabilitation - Mill and Overlay, Bridges, Ramps and Auxiliary Lanes (Preferred Alternative)

Build Alternative 2, Rehabilitation, (WisDOT Preferred Alternative) addresses pavement condition and bridge maintenance needs and improves merging and diverging operations along I-43 between Brown Street and Capitol Drive. This alternative mills and overlays the mainline and ramps with asphalt pavement, and patches the base and repairs joints and cracks, as needed. The alternative adds northbound and southbound auxiliary lanes between North Avenue and Capitol Drive, and it adds a parallel on ramp⁵ from the Ninth Street entrance ramp onto I-43 southbound. The alternative reconstructs the northbound and southbound inside (median) shoulders and replaces the existing dual center concrete barrier with a single center concrete barrier. The alternative reconstructs the existing 11-foot northbound and southbound outside shoulders and widens the shoulders to 12 feet (typical). To accommodate drainage storage on shoulders and improve driving lane sight distance, the alternative modifies the existing three 12-foot mainline lanes to two 11-foot lanes and one 12-foot lane between North Avenue and Capitol Drive in each direction. This alternative also rehabilitates five bridges as summarized in **Table 12**.

This alternative addresses pavement condition and bridge maintenance needs as well as improves merging and diverging operations with the added auxiliary lanes between North Avenue and Capitol Drive in both northbound and southbound directions and add a the parallel on-ramp from the Ninth Street southbound entrance ramp, improving operations in this area. This alternative does not address design deficiencies or traffic operational issues along the corridor.

Build Alternative 3: Rehabilitation - Mill and Overlay, Bridges, Ramps, Auxiliary Lanes and Merge Transition Lane

Build Alternative 3, Rehabilitation, addresses pavement condition, bridge maintenance needs, system operations and increases merging and diverging operations to improve traffic flow and safety along I-43 between Brown Street and Capitol Drive. This alternative mills and overlays the mainline, ramps and ramp shoulders with asphalt pavement, and patches the base and repairs

⁵ A parallel entrance ramp is longer than an average on-ramp, designed to improve traffic safety and operations.

joints and cracks, as needed. The alternative adds a merge transition lane along the mainline in each direction from south of Brown Street to Locust Street. The alternative adds northbound and southbound auxiliary lanes between Locust Street and Capitol Drive. It also adds parallel on ramps in three locations: from the North Avenue entrance ramp to I-43 northbound; from the North Avenue entrance ramp to I-43 southbound; and from the Ninth Street entrance ramp onto I-43 southbound. The alternative reconstructs the northbound and southbound inside (median) shoulders and replaces the existing dual center concrete barrier with a single center concrete barrier. The alternative reconstructs the existing 11-foot northbound and southbound outside shoulders and widens the shoulders to 14-feet (typical). This alternative also rehabilitates five bridges as summarized in **Table 12**.

Build Alternative 3 would address the pavement condition, bridge maintenance needs, system operations and improve merging and diverging operations to improve traffic flow and safety, however it does not improve safety operations substantially more than the preferred alternative. Safety analysis indicated the added merge lane, which reduced the existing 10-foot (typical) inside shoulder width to 6 feet, did not create a substantial safety benefit when compared to the preferred alternative. Specifically, the alternative worsens deficient stopping site distance on the freeway and also impedes proper drainage. The narrow shoulder width could result in stormwater runoff spreading into travel lanes, creating new potential unsafe conditions for hydroplaning. Placement of additional storm sewer inlets to collect the roadway runoff is not prudent as the number of structures will be very closely spaced. Even then, the spread may not be contained with the lane and or the narrow shoulder.

8. Description of Preferred Alternative:

The preferred alternative for the Project proposes to rehabilitate approximately 2.5 miles of I-43 between Brown Street and Capitol Drive within the existing right of way in the City of Milwaukee. The Project resurfaces deteriorating pavement along the mainline, ramps and ramp shoulders; constructs auxiliary lanes between North Avenue and Capitol Drive; adds a new parallel on ramp; reconstructs the inside shoulders and replaces the median barriers; reconstructs and widens the outside shoulders; and rehabilitates five bridges. Project construction is planned from Spring 2023 through 2024. The preferred alternative for the Project is described in more detail below. See **Appendix B-1** for design plans, **Appendix B-2** for typical sections and **Appendix B-3** for other I-43 studies and projects.

Mainline, Shoulders and Ramps

The Project resurfaces the existing pavement along the mainline, ramps and ramp shoulders by milling off the existing pavement, patching the base, repairing joints and cracks and overlaying asphalt pavement.

Between North Avenue and Capitol Drive, the Project modifies the existing three 12-foot mainline lanes to two 11-foot lanes and one 12-foot lane in each direction and adds 12-foot northbound and southbound auxiliary lanes to improve merging and diverging traffic operations at interchange access points. More specifically, auxiliary lanes are proposed at the following locations:

Between North Avenue and Locust Street:

- Northbound auxiliary lane extends 1,350 feet between the North Avenue on ramp and the Locust Street off ramp
- Southbound auxiliary lane extends 1,500 feet between the Locust Avenue on ramp and the North Avenue off ramp

Between Locust Street and Keefe Avenue:

- Northbound auxiliary lane extends 1,700 feet between the Locust Avenue on ramp and the Keefe Avenue off ramp
- Southbound auxiliary lane extends 1,000 feet between the 8th Street on ramp and the Locust Avenue off ramp

Between Keefe Avenue and Capitol Drive

- Northbound auxiliary lane extends 1,000 feet between the Keefe Avenue on ramp and the westbound Capitol Drive off ramp
- Southbound auxiliary lane extends 1,200 feet between the Capitol Drive on ramp and the Keefe Avenue off ramp

All existing interchange access points along the Project corridor will remain the same. The Project adds a new parallel on ramp at existing interchange from the Ninth Street entrance ramp onto I-43 southbound. The new parallel ramp will provide a longer acceleration distance for vehicles entering the freeway.

The Project reconstructs the northbound and southbound inside (median) shoulders to 12 feet wide (typical) and replaces the existing dual median concrete barrier with a 42-inch-high single concrete median barrier. The wider shoulders accommodate drainage storage and improve driving lane sight distance. The Project reconstructs the existing 11-foot wide northbound and

southbound outside shoulders and widens the shoulders to 12 feet (typical) along the corridor.

Crash analysis using FHWA’s Interactive Highway Safety Design Model (IHSDM) indicates the Build Alternative 2: Rehabilitation - Mill and Overlay, Bridges, Ramps and Auxiliary Lanes would result in fewer total crashes and fewer injury crashes when compared to the no-build alternative. Operations modeling indicates the addition a new parallel ramp from the ninth street interchange and the addition of auxiliary lanes between North Avenue and Locust Street, Locust Street and Keefe Avenue and Keefe Avenue and Capitol Drive will improve overall traffic operations in the project area.

Bridges

The Project rehabilitates five bridges over I-43 as summarized in **Table 13**.

Table 13: Bridge Rehabilitation Work

Bridge ID	Location	Proposed Action
B-40-215	Brown Street bridge over I-43 mainline	Concrete deck overlay and paint
B-40-209	W. Wright Street bridge over I-43 mainline	Concrete deck overlay and paint
B-40-208	Center Street bridge over I-43 mainline	Paint
B-40-207	W. Locust Street bridge over I-43 mainline	Deck replacement and paint
B-40-206	W. Burleigh Street bridge over I-43 mainline	Deck replacement and paint

The structural rehabilitation needs on the Ring Street pedestrian crossing, Keefe Avenue, Atkinson Avenue, 8th Street over 9th Street ramp, Vienna Street pedestrian crossing, Green Bay Avenue/ Dr. Martin Luther King Jr Drive and Capitol Drive bridges will be addressed in a separate future project (1228-22-73). The North Avenue and Halyard Street bridges will also proceed under a separate future project (1228-29-70). These projects have a Spring 2027 PS&E date.

Stormwater Management

The Project will use in-line storm sewer treatment such as catch basins to direct stormwater from the freeway to flow into the City of Milwaukee sewer system at three outfall locations. The Capitol Drive and Burleigh Street outfalls will discharge runoff to two separate combined sewer systems. The outfall south of North Avenue goes to a storm sewer system constructed as part of the Marquette Interchange project. All flows are treated at the Milwaukee Metropolitan Sewerage District (MMSD) wastewater treatment plant. The proposed storm water management strategies will conform to NR 151/TS4 requirement for 40% TSS removal.

Construction Staging and Traffic Management

Mainline freeway construction will consist of four stages requiring lane and shoulder closures and short-term ramp closures at interchanges. A minimum of two lanes of through traffic in each direction will be maintained during construction except for short-term nighttime freeway closures, if required. If possible, up to three lanes of traffic in each direction will be maintained south of Keefe Avenue to minimize traffic diversion from the freeway.

During the first construction stage, work will focus on repaving the outside shoulders to prepare for subsequent mainline construction. Traffic control will include shoulder closures and nighttime lane and ramp closures.

During the second construction stage, the median will be reconstructed. Traffic will be shifted to the outside lanes and shoulders along the mainline. Traffic control plans anticipate northbound I-43 will maintain four lanes from the south project limit to North Avenue, three lanes from North Avenue to Keefe Avenue and two lanes from Keefe Avenue to the north Project limit.

Potential closures along northbound I-43 may include the WIS 145 entrance ramp, the I-794 westbound to I-43 northbound ramp, and the left lane over WIS 145. Southbound I-43 will maintain three lanes from the south project limit to the 9th Street entrance ramp and two lanes from the 9th Street ramp to the north Project limit. The WIS 57 (Green Bay Avenue) entrance ramp along southbound I-43 may be closed during this stage. Also, nighttime ramp closures may also occur during this construction stage.

During stage three, the Project will base patch the existing travel lanes and reconstruct the outer lanes and widen the outside shoulders. Traffic will be shifted to the inside travel lanes along the mainline. The number of lanes maintained along northbound and southbound I-43 and ramp closures are expected to resemble stage two construction. Stage three will have additional short-term ramp closures, as needed, at exit and entrance ramps along the freeway including North Avenue, Locust Street, Keefe Avenue, Atkinson Avenue, Capitol Drive, WIS 57 and 9th Street.

During the final stage of construction, the Project will mill and overlay the mainline with asphalt. Traffic control will consist of short-term, nighttime lane and ramp closures.

Bridge rehabilitation work will proceed along with the mainline construction. Bridges at Brown and Wright streets will be closed to traffic for about two months for overlay work and the bridges at Locust and Burleigh streets will be closed to traffic for approximately four months during deck replacement work. Nighttime bridge closures for up to two months are also expected for bridge painting work at Brown, Wright, Center, Locust and Burleigh streets. Bridge construction staging will avoid closing consecutive bridges to make sure east-west cross access is available throughout the Project area.

The existing adjacent local roadway network and interchange ramps will provide detour routes during construction if required. During each construction stage, signage will be placed to direct travelers to the detour routes for lane, ramp, and bridge closures. No offsite improvements are expected on local roads. WisDOT will adjust signal timings and coordinate with local municipalities as needed. WisDOT will determine required closures during final design in coordination with the city of Milwaukee and Milwaukee County.

Other I-43 Studies and Area Highway Improvement Projects

WisDOT has programmed Build Alternative 3 along with other projects within the I-43 corridor to address safety, deteriorating roadway and bridge infrastructure, and operational concerns. The other planned projects along I-43 are outlined in **Table 15** below and shown on a map in **Appendix B-3**. Each action has logical termini and independent utility, and separate environmental studies will be undertaken for each proposed action. The other actions described below within the I-43 corridor do not make commitments for future work nor do they restrict consideration of other future alternatives for the I-43 corridor.

Table 14: Other I-43 Corridor Projects

Project	Project Design ID	Schedule	Description
I-43 North-South Freeway: Silver Spring Drive to WIS 60	1229-04-01	2021-2024	The Project includes the expansion of I-43 from two lanes to three lanes in each direction. The project will also rebuild the five existing interchanges along the corridor and build a new interchange at Highland Road. The Union Pacific railroad bridge over I-43 in Glendale will be replaced, and a section of Port Washington Road in Glendale will be expanded from one to two lanes in each direction.
Silver Spring Interchange with I-43	1228-22-02	2020 (complete)	The Project included maintenance of bridges, partial replacement of northbound ramp pavement, and traffic signal improvements at Hampton Avenue and Port Washington Road.
I-43 North-South Freeway: Capitol Drive to Hampton Avenue	1228-22-01	2021-2024	The Project replaces the existing six-lane freeway in generally the same configuration. It replaces the pavement and adds auxiliary lanes; replaces and improves bridges; removes the URT bridge and reconstructs the mainline on fill with retaining walls; reconstructs the Hampton Avenue interchange ramps; reconstructs or overlays pavement of the Capitol Drive interchange ramps, replaces the existing noise barrier on the west side of I-43 and adds two new barriers north of Capitol Drive.
Hillside Interchange with I-43	1228-28-00	2021 (complete)	The Project includes maintenance of Kilbourn tunnel and overpassing bridges.
West and North legs of Marquette Interchange with I-43	1228-09-04	2020 (complete)	The Project includes maintenance of an existing perpetual pavement project.

9. Land Use Adjoining the Project and Surrounding Area:

The current land use in the immediate Project area is a freeway and its associated right of way. The proposed action would not acquire new right of way and current land use would be maintained.

The land uses within a half-mile study area around the Project corridor are summarized in **Table 16** below and shown in **Appendix C**.

The existing land use in the study area is comprised of urban uses with residential making up the largest land use categories at 54.5 percent. Commercial land use (8.6 percent) is found along arterial streets primarily along W. Fond du Lac Avenue, W. North Avenue, N. Dr. Martin Luther King Jr. Drive, Center Street and Teutonia Avenue. Mixed residential and commercial properties account for 3.8 percent of the study area. Industrial land use (2.5 percent) is associated with industrial areas to the south and north of the Project area. Public/quasi-public buildings make up about 9.1 percent of land use in the study area and include schools, law enforcement facilities and a public library. Parks and open space (8.4 percent) in the study area include Carver Park, Beckum Park and Rose Park. Nearly 11 percent of the study area is vacant land.

Table 15: Existing Land Uses in Study Area

Category	Acres*	Percent
Residential	768	54.5
Commercial	121	8.6
Mixed Use (Residential & Commercial)	54	3.8
Industrial	36	2.5
Transportation	32	2.3
Agriculture and Fishing	1	0.1
Public/Quasi-Public Buildings	128	9.1
Parks and Open Space	118	8.4
Vacant Land	151	10.7
Total	1,410	100

Source: City of Milwaukee MPROP, 2021

*Land use acres were calculated for a half-mile buffer around the Project corridor

Population projections for the City of Milwaukee, Milwaukee County and Wisconsin are shown in **Table 17** below. The City of Milwaukee is projected to grow by 2.4 percent between 2025 and 2040. Milwaukee County and the State of Wisconsin are expected to grow by 4.1 percent and 4.4 percent, respectively, between 2025 and 2040.

Table 16: Project Area Municipality and State Population Forecasts

Geography	2025 Projection	2030 Projection	2040 Projection	% change 2025-2040
Milwaukee (City)	607,200	608,950	622,150	+2.4
Milwaukee County	974,680	980,450	1,016,250	+4.1
Wisconsin	6,203,850	6,375,910	6,491,635	+4.4

Source: State Population Projections, 2010-2040, Wisconsin DOA

10. Planning and Zoning:

Transportation Improvement Program for Southeastern Wisconsin: 2021-2024

SEWRPC is the federally designated organization that ensures air quality conformity in the seven-county southeastern Wisconsin region. In accordance with the 1990 Clean Air Act Amendments, proposed highway improvements must be included in an approved Transportation Improvement Plan (TIP). Also, the adopted regional transportation system plan must be in conformance with the State Implementation Plan (SIP) for air quality. The TIP lists all arterial highway, public transit, and other transportation improvement projects proposed to be carried out by state and local governments over a 4-year period. This Project is TIP project number 15 in the TIP document, *A Transportation Improvement Program for Southeastern Wisconsin: 2021-2024*.

Vision 2050: A Regional Land Use and Transportation Plan - SEWRPC

SEWRPC completed VISION 2050, a long-range plan for land use and transportation in Southeastern Wisconsin in July 2016 and updated in 2020. The plan is an advisory vision for how the seven-county region can achieve the type of land use and transportation infrastructure that will help attract new talent and encourage economic growth. Key plan recommendations include preservation of primary environmental corridors; encouraging more compact development; improving public transit; enhancing bicycle and pedestrian networks; keeping major streets in a state of good repair; and strategically adding capacity to congested roadways and implementing Complete Streets.

VISION 2050 includes the section of I-43 that is the focus of this ER within a larger geographic area, it is grouped with a portion of I-43 from Howard Avenue to Silver Spring Drive. The plan does not make any recommendations with respect to whether the portion of I-43 between Howard Avenue and Silver Spring Drive, when reconstructed, should be reconstructed with or without additional lanes. This determination would be made during preliminary engineering, after which VISION 2050 would be amended to reflect the decision made as to how this section of I-43 would be reconstructed. The plan recommends that any construction along this section of I-43 prior to preliminary engineering - such as bridge reconstruction – should fully preserve and accommodate the future option of rebuilding the freeway with additional lanes. The Build Alternative 3: Rehabilitation is compatible with Vision 2050 because the proposed improvements are being designed and constructed in a manner to not preclude the modernization of the corridor the future. The plan is available at: <https://www.vision2050sewis.org/>

Northeast Side Plan (2009) – City of Milwaukee

The Northeast Side Area Plan, adopted in 2009 and amended in 2012 and 2018, covers the neighborhoods of Harambee, Riverworks, Riverwest, the Milwaukee River, Upper East Side, Lower East Side and the Lakefront. The plan builds on existing improvement and redevelopment efforts in the area and protect assets so that neighborhoods and uses can be preserved and enhanced. The vision for the Northeast Side is to create “vital and diverse urban neighborhoods” with a “nucleus of quality jobs, education, and culture.” The plan states I-43 is a major asset for retail development. Build Alternative 3, Rehabilitation, is compatible with the goals and strategies outlined in the Northeast Side Plan since it maintains existing access points to and from I-43 and rehabilitates the freeway and bridges within the existing right of way. The plan is available at: <https://city.milwaukee.gov/AreaPlans/Northeast.htm#.XVMx5-NKhhE>

Fond du Lac and North Area Plan (2021) – City of Milwaukee

The Fond du Lac and North Area Plan, adopted in 2021 to replace the original 2004 area plan, covers the area from approximately from I-43 on the east to N. 35th Street on the West; and Burleigh Street on the north to Galena Street on the south. The plan highlights I-43 as a transportation asset as it provides access to residents and workers in the area. Current and planned uses surrounding the Project area primarily include residential areas just west of I-43. The area plan notes that while the area surrounding the Project is zoned primarily residential it includes numerous “properties susceptible to change” including “vacant land, non-owner-occupied residential properties, tax delinquent properties for more than two years and city owned properties.” Build Alternative 3, Rehabilitation, is compatible with the goals and strategies outlined in the Fond du Lac and North Area Plan since it maintains existing access points to and from I-43 and rehabilitates the freeway and bridges within the existing right of way. To view this plan visit: <https://city.milwaukee.gov/DCD/Planning/PlansStudies/FondduLacandNorth>

Near North Side Area Plan (2009) – City of Milwaukee

The Near North Side Area Plan, adopted in 2009 and amended in 2020, covers the northeast area of the City of Milwaukee and roughly extends from Silver Spring Drive to North Avenue. The plan aims to provide long-term value and job creation by balancing residential, commercial and industrial investments. The plan does not recommend major land use changes and instead emphasizes building upon existing neighborhood assets. I-43 serves as a major connection to east-west streets in this area, including Silver Spring Drive and Capitol Drive. The area plan’s recommended street, transit, and mobility improvements focus on improving routes to employment centers to give residents more opportunities. Strategies include improving transit stops, increasing pedestrian access between employment centers, and planning for future transit systems. Build Alternative 3, Rehabilitation, is compatible with the goals and strategies outlined in the Near North Side Area Plan since it maintains existing access points to and from I-43 and rehabilitates the freeway and bridges within the existing right of way. The Near North Side Area Plan is available at: <https://city.milwaukee.gov/AreaPlans/NearNorth.htm#.XVMYHeNKhhE>

City of Milwaukee Zoning

The City of Milwaukee Zoning Code is administered by the Department of Neighborhood Services. The city’s zoning code regulates development within the city and promotes land uses that are consistent with the city’s comprehensive plan. Within the Project area zoning classifications include residential, industrial, commercial and park. The Build Alternative 3, Rehabilitation, is compatible with Milwaukee’s zoning classifications as the freeway and bridges will be rehabilitated withing the existing right of way and will not directly impact adjacent properties. The zoning code can be viewed at: <https://city.milwaukee.gov/zoningcode#.XVMtkuNKhhE>

11. Indirect Impacts:

If any of the following boxes are checked, the Pre-Screening Worksheet for EA and ER Projects for Determining the Need to Conduct a Detailed Indirect Effects Analysis must be completed and attached to this environmental document.

An alternative being carried forward for detailed analysis includes:

- Economic development as an element of the purpose and need
- Construction of one or more new or additional through lanes
- Construction of a new interchange or elimination of an existing interchange

- Construction of one or more additional ramps or relocation of a ramp lane to a new quadrant on an existing interchange
 - Relocation of an existing roadway to a new alignment (this does not include minor modifications to the existing roadway alignment)
 - Changing an at-grade intersection to a grade-separated intersection with no access or a grade-separated intersection to an at-grade intersection.
 - Construction of one or more additional intersections along the mainline created by a new side road access.
 - One or more new access points along a side road within 500' of the mainline.
 - None of the above boxes have been checked, it has therefore been concluded that the proposed action will not result in indirect effects.
-
- The proposed action may result in indirect effects. The Pre-Screening Worksheet for EA and ER Projects for Determining the Need to Conduct a Detailed Indirect Effects Analysis attached here: indicates a detailed indirect effects analysis is not required.
 - The proposed action may result in indirect effects. It has been determined that a detailed indirect effects analysis is required. A summary of the detailed analysis is located here:

12. Environmental Justice (EJ):

How was information obtained about the presence of populations covered by Executive Order 12898, Federal Actions to Address Environmental Justice in Minority and Low-Income Populations (EO 12898)? (check all that apply)	
<input checked="" type="checkbox"/> Public Involvement Plan (PIP)	<input type="checkbox"/> EJ plan for the project
<input checked="" type="checkbox"/> U.S. Census data	<input type="checkbox"/> Survey/questionnaire
<input checked="" type="checkbox"/> Local government	<input checked="" type="checkbox"/> U.S. EPA EJ Screen
<input type="checkbox"/> Real estate company	<input type="checkbox"/> WisDOT Real Estate
<input type="checkbox"/> Public involvement meeting(s)	<input type="checkbox"/> Windshield survey*
<input type="checkbox"/> Official plan (such as a comprehensive plan or MPO plan)	
<input type="checkbox"/> Health and human services agencies or organizations Identify agency or organization:	
<input type="checkbox"/> Other – identify:	

*Conducting only a windshield survey is not sufficient to decide if populations are present.

- A. Based on data obtained from the methods above, are minority populations or low-income populations present in the project area?
- No
 - Yes, describe:

2020 American Community Survey 5-year Data (ACS) was utilized to identify populations within the Project area, 2020 Decennial US Census Data is not available for all categories needed for analysis at this time. The population within a half-mile of the Project corridor is 20,559, of that total, 19,207, or 93.4 percent, are considered a minority. This is a higher minority percentage than Milwaukee County (42.9 percent). Blacks or African Americans are the largest minority group and make up 86.5 percent of the population within a half-mile of the Project corridor.

The median household incomes for the census block groups within a half-mile of the Project corridor range from \$13,869 to \$92,526. The 2020 Department of Health and Human Services poverty guideline for a family of four is \$26,200. The Project area has low-income populations since twelve census block groups within a half-mile of the Project corridor have median household incomes below the guideline. Also, the poverty rate in the study area is high, with 37.2 percent of individuals in the study area determined to be in poverty, which is high compared to the city (21.0 percent), county (18.3 percent) and state (11.0 percent).

- B. Will there be potential impacts of any kind to minority populations or low-income populations identified above?
- No
 - Yes, describe:

Minority and low-income populations would be impacted by temporary construction-related inconveniences such as construction noise and dust and potential increases in traffic along detour routes that may be needed for lane and ramp closures along the freeway and for bridge closures. Bridge closures would require vehicles, bicyclists and pedestrians to use adjacent east-west streets to travel over the freeway. Also, buses will need to be rerouted around the bridge closures and nearby bus stops may need to be temporarily relocated. This may cause delays in transit service.

Additional information is included on the Environmental Justice Factor Sheet.

13. Title VI of the Civil Rights Act of 1964 and Additional Nondiscrimination Requirements

A. Indicate if issues have been identified or concerns have been expressed related to Title VI of the Civil Rights Act of 1964 or other nondiscrimination laws, regulations, executive orders and policies under the Title VI umbrella.

No. Issues related to the above laws, regulations, executive orders and policies were not identified and concerns were not expressed.

Yes. Issues related to the above laws, regulations, executive orders and policies were identified and/or concerns were expressed, describe:

A letter was submitted to FHWA's office of Civil Rights on January 18, 2022 prior to a change in project scope which reduced the scale and impact of the proposed project. FHWA has taken the letter into consideration. No determination has been made that affects FHWA's authority to make a NEPA decision on the proposed project.

14. Public Involvement:

A. Briefly describe the Public Involvement Plan (PIP):

WisDOT prepared a Public Involvement Plan (PIP) to guide public involvement for the Project. The PIP outlines outreach activities including meetings with business, interest groups, civic organizations, neighborhood groups and other stakeholders to provide Project updates and/or address specific issues or concerns. The PIP includes a media outreach strategy and recommends the use of newsletters and the WisDOT Project webpage (wisconsindot.gov/pages/projects/by-region/se) to keep the public informed about the Project.

B. Public Meetings

Date (mm/dd/yyyy)	Meeting Sponsor (WisDOT, RPC, MPO, etc.)	Type of Meeting (PIM, Public Hearings, etc.)	Location	Approx. Number of Attendees
09/15/2021	WisDOT	Public Involvement Meeting	Carver Park Shelter, 911 W. Brown St., Milwaukee	22
03/10/2022	WisDOT	Public Involvement Meeting	Virtual (Via Teams and YouTube Live)	10

C. Other methods such as those identified in the Public Involvement Plan and Environmental Justice Plan (if applicable):

WisDOT distributed over 8,000 newsletters to property owners and residents within 500 feet of the corridor, city and county elected officials and municipal staff, business groups, neighborhood groups, and major stakeholders providing project information and inviting the public to the September 15, 2021 public involvement meeting (PIM). Topics presented in the newsletter included Project purpose and need, planned and recommended improvements, alternatives, graphical representations to facilitate understanding of technical terms, a description of the noise barrier process, potential impacts during construction, a Project timeline, design plans, and anticipated construction activities. The newsletter also provided Project contact information and instructions on how to find more information and submit comments.

WisDOT also emailed the newsletter to the Project email list, including local community organizations with an offer to meet about the project. Community organizations contacted included: Harambee Neighborhood Improvement District, Riverworks Business Improvement District, King Drive Business Improvement District, Halyard Park Neighborhood, Walnut Way Neighborhood and Take Root Milwaukee.

WisDOT issued a press release and display ads announcing the PIM in local community newspapers, including the Milwaukee Community Journal, and the Milwaukee Times, approximately one to two weeks prior to the PIM.

Approximately three weeks prior to the March 10, 2022 PIM, WisDOT mailed postcards to the public, officials and stakeholders noted above who were invited to the September 2021 PIM. People who signed in at the September 15, 2021 PIM were also invited. Display ads ran in the Milwaukee Times and Milwaukee Courier approximately one to two weeks prior to the PIM.

Ninety-three percent of the population within a half mile of the project corridor are considered a minority, this is a higher minority percentage than Milwaukee County (42.9 percent). Blacks or African Americans are the largest minority group within a half mile and make up 86.5 percent of the population. The median household incomes for the census block groups

within the study area range from \$13,869 to \$92,526. Twelve of the census block groups within the study area have median household incomes below the 2020 Department of Health and Human Services poverty guideline of \$26,200 for a family of four. Since newsletters were distributed to residents within 500 feet of the corridor, business groups neighborhood groups and major stakeholders, it can be concluded they were also distributed to people considered minorities as well as groups that represent them.

Section E below summarizes additional project meetings with groups and individuals.

D. Indicate any accommodations that were requested by the public or provided to comply with Title VI, EJ or nondiscrimination laws.

- | | |
|---|---|
| <input type="checkbox"/> Interpreters | <input type="checkbox"/> Listening aids |
| <input type="checkbox"/> Transportation provided | <input checked="" type="checkbox"/> Accessibility for elderly populations or individuals |
| <input type="checkbox"/> Childcare provided | <input checked="" type="checkbox"/> Accessibility for disabled populations or individuals |
| <input type="checkbox"/> Bilingual materials provided | <input type="checkbox"/> Sign language provided |
- Other, describe: The September 15, 2021 in-person PIM, was held at Carver Park, 911 W. Brown Street. Carver Park is adjacent to the project corridor and within or near neighborhoods with high minority and low-income populations.

E. Describe populations, groups and individuals who participated in the public involvement process. Include any organizations and special interest groups:

WisDOT engaged with community groups and events listed below to provide project information and seek project input:

Date (mm/dd/yyyy)	Meeting Sponsor (WisDOT, RPC, MPO, etc.)	Type of Meeting (PIM, Public Hearings, etc.)
09/25/2021	5 Points Neighborhood Association	Neighborhood meeting
09/20/2021	Bronzeville Advisory Committee	Monthly committee meeting
08/30/2021	District 5 National Night Out	Neighborhood event in Gordon Park
01/27/2020	Northshore Rotary	Regular monthly meeting
10/26/2019	5 Points Neighborhood Association	Neighborhood meeting
03/22/2022	Halyard Park Neighborhood Association	Neighborhood meeting

All groups listed in the table above represent or interact with individuals that live near the project corridor. Ninety-three percent of the population within a half-mile of the project corridor are considered a minority, this is a higher minority percentage than Milwaukee County (42.9 percent). Blacks or African Americans are the largest minority group within a half-mile and make up 86.5 percent of the population. In addition, 12 of the US Census block groups have median household incomes below the 2020 Department of Health and Human Services poverty guideline.

F. Indicate plans for additional public involvement, if applicable:

As the Project progresses, WisDOT will continue to meet with neighborhood organizations, businesses and other groups or individuals to provide Project information and obtain feedback on design and construction plans.

15. Summarize the Results of Public Involvement:

Two public involvement meetings and a number of stakeholder outreach meetings have been held for this project. The first PIM was held September 15, 2021, and the second on March 10, 2022. Build Alternative 3 was identified as the preferred alternative during the September 15, 2021 PIM. This alternative includes the addition of a merge transition lane along the I-43 mainline in each direction from south of Brown Street to Locust Street. Following the September 15, 2021 PIM, a design challenge was realized that required the elimination of the merge transition from the project. As a result, Alternative 2 was identified as the preferred alternative during the March 10, 2022 PIM, and is identified as such in this Environmental Report. Summary information from public involvement meetings and stakeholder outreach included below in is reference to alternatives presented when the meetings occurred.

A. Describe the issues, if any, identified by individuals or groups during the public involvement process:

Issues raised during meetings are summarized below:

Halyard Park Neighborhood Association/March 22, 2022:

1. Questions about litter and landscaping in the corridor
2. Questions about line-of-sight issues at the intersection of 7th and Garfield

Public Involvement Meeting/ March 10, 2022:

1. Questions about bridges, including plans for bridge leading to Green Bay Avenue School between Capitol Drive and Vienna Street and any proposed surface treatment on bridges as they ice up.
2. General lack of communication regarding freeway work including impacts to local traffic, roads, homes, postal service and bus service.
3. Construction impacts: Work at night is disruptive especially for senior citizens; there should be budget included in the project for disruptions and address pollution such as dust; vibration impacts (lead and asbestos exposure), what funding and measures are in place for repairs and injury?
4. Concern about noise, air quality and quality of life impacts.
5. Does the project include Phase I and Phase II Hazardous Materials Assessment?
6. Ensure that if a bridge is closed during construction that an adjacent bridge is open for emergency services.
7. Comment on threat of eminent domain
8. Manage the impact of potential drinking water contamination from lead pipes during construction; vibrations could cause release of lead contaminants in drinking water
9. Is the 6-Year Plan available for public review and is the project compliant with SEWRPC's VISION 2050 plan?
10. Are there relocations?
11. Will there be disruptions to water, electric or other services?
12. Was the 4th travel lane removed from project?
13. Is WisDOT coordinating with the city of Milwaukee and Milwaukee County?
14. Is there any consideration of aesthetic treatment to bridges or intersections?

5 Points Neighborhood Association/ October 26, 2019:

1. Why the curve at North Avenue is not being straightened out as part of the Project.
2. If any changes would be made to east-west access over the freeway.
3. If any homes or businesses would be taken for the Project.
4. Concerns about people experiencing homelessness in the corridor and if WisDOT is working with other community resources for occupants living under the Marquette Interchange.
5. If the Project will expand transit services as part of the Project would accommodate shoulder-running transit along I-43.
6. If noise barriers are being considered and if the public will have a say in the barriers.
7. If job opportunities will be available for local residents.

Northshore Rotary/January 27, 2020: WisDOT provided a project update, and no issues were raised.

District 5 National Night Out/August 30, 2021:

1. General project information shared with the public; Questions were asked about timing, scope of project, schedule, relationship to other I-43 projects

Bronzeville Advisory Committee/September 20, 2021:

1. Concerns about historic impact of freeway construction on community
2. What measures is WisDOT taking to work with creative community
3. Some expressed support for improvements.

Public Involvement Meeting/ September 15, 2021:

1. Manage the impact of construction on local traffic
2. General support for the operational improvements
3. Residents were pleased that there were no impacts outside of WisDOT property
4. Comments about noise barriers:
 - Some would like more noise barriers
 - Some would like fewer noise barriers
 - Some are concerned about the process for voting for noise barriers

5 Points Neighborhood Association/ September 25, 2021:

Questions were asked related to the Project on I-43 between Capitol Drive and Hampton Avenue. This is a separate

action than the project discussed in this ER. Questions asked pertained to the following construction related items:

- Impacts to local residents during construction
- Opportunity for jobs
- Noise barrier process and location
- Future of corridor

B. Briefly describe how the issues identified above were addressed:

Responses to issues raised during public outreach are summarized by event:

Halyard Park Neighborhood Association/March 22, 2022:

1. WisDOT described anticipated clearing, grubbing, new bridge paint and new fencing associated with the project.
2. WisDOT will review questions regarding line-of-sight at the 7th Street/Garfield Avenue intersection in coordination with city of Milwaukee and/or Milwaukee County.

Public Involvement Meeting/ March 10, 2022

1. The bridge to Green Bay Avenue school is a future project; managing ice on bridges would be a local responsibility.
2. WisDOT maintains communication about construction projects through its 511 website. WisDOT will implement a construction public involvement plan that will likely include email blasts, web site updates, the 511 Traveler Information System and door to door notification as appropriate. During final design and prior to construction, WisDOT will develop a Traffic Management Plan and communicate the schedule activities, closures and detours with local officials and other stakeholders, including emergency services, Milwaukee County Transit Service and other transportation providers. WisDOT also hosts traffic meetings with other parties as needed. Other measures to manage traffic include adjusting traffic control and signal timing. WisDOT will also use signage in advance of the lane closures and bridge work to notify travelers of the upcoming lane and bridge closures.
3. Night work along I-43 will be necessary due to the volume of traffic the roadway carries to minimize disruption to the traveling public. WisDOT has a standard specification for dust control that is included on projects. WisDOT considers conducting vibration monitoring when a private residence or building is within 50 feet of roadway construction activities; or within a 100-foot minimum distance for pile driving activities. Because there will be no roadway construction activities within 50 feet of a private residence or building, and there will be no pile driving activities associated with the project, vibration monitoring will not be conducted. Additionally, the rehabilitation of I-43 will result in a smoother driving surface thus eliminating uneven pavement surfaces which could cause loads on trucks to bounce potentially resulting in airborne and ground-borne vibrations.

If a resident or business owner does have a concern regarding vibration damage, they will be able to contact the project construction public involvement contact person (to be assigned for the upcoming construction phase). Any claims of construction-related damage will be forwarded to the project contractor for consideration by their insurance company.

4. The environmental document discusses anticipated impacts and mitigation measures related to the project scope, which is pavement and bridge rehabilitation. Per WisDOT's written noise policy, a noise analysis is required when a project is considered Type I as described in the WisDOT Facilities Development Manual Chapter 23, Section FDM 23-10. This project does not meet those criteria; therefore, a noise analysis will not be conducted for the project. The project is included in SEWRPC's air quality conformity analysis of all transportation projects in southeast Wisconsin, which indicates the project will not adversely affect air quality.
5. The environmental studies included Phase I and Phase II Hazardous Materials Assessments.
6. WisDOT will not close adjacent bridge crossings at the same time during construction.
7. The project does not require either additional right of way or easements.
8. Information related to construction impacting levels of lead in drinking water coming from lead pipes indicates the potential for impact occurs when construction results in ground disturbance within 50 feet of a residence or building with lead piping.

For this project:

- There will be no ground disturbing activities within 50 feet of a private residence or building.
- There will be no construction activities within 50 feet of a private residence or building.
- There will be no pile driving activities associated with the project.

The city of Milwaukee provides additional information on lead drinking water pipes, noting it should be standard practice for residents of home serviced by lead pipes to run their water for a time before use to allow water that has been sitting in the pipe to be flushed out. Residents should also clean the diffuser on the end of the tap at regular intervals to remove any pieces of the lead piping that may have dislodged.

9. The 6-Year Plan is available at the WisDOT website. The project is consistent with VISION 2050.

10. The project does not require business or residential relocations.
11. WisDOT does not anticipate disruption to water, electric or other services during construction.
12. The project no longer includes merge extensions, identified by the meeting participant as a fourth travel lane. The merge extensions were removed from the project due to response to public feedback and a design challenge in the North Avenue Curve.
13. WisDOT has and will continue coordination with both the city of Milwaukee and Milwaukee County.
14. Work on bridges includes replacing fencing, sidewalks and painting. Additional aesthetic treatments for this project would require local funding.

5 Points Neighborhood Association/ October 26, 2019:⁶

1. The North Avenue curve is not being straightened out as part of this Project. WisDOT evaluated the curve and determined the addition of a fourth lane in this area would adequately address traffic operations and improve safety without straightening the curve.⁷
2. The Project will not change east-west access over the freeway. All existing cross access points will remain, and no new cross access points will be added. During construction, bridge closures over the freeway will occur for two to four months with additional nighttime closures possible for up to two months for painting work.
3. The Project will be constructed within the existing right of way and no residences or businesses will be impacted.
4. WisDOT coordinated with the City of Milwaukee Police and several shelters in the Milwaukee area to find housing for people experiencing homelessness near the Marquette Interchange to allow the scheduled maintenance work to be conducted.
5. The Project will improve and widen outside shoulders along the freeway, which may allow future bus on shoulder transit operations in the future. The Project will improve operations along the freeway, which will benefit freeway flyer buses. It will also rehabilitate existing bridges over the freeway that carry existing local transit routes and provide pedestrian and bicycle access over the freeway.
6. Five noise barriers were determined to be reasonable and feasible along the Project corridor. WisDOT will host a public meeting following approval of this Environmental Report to determine whether the feasible and reasonable noise barriers would likely be incorporated into the Project. *(Note: The response provided to the question asked during the meeting is documented here. Since the October 26, 2019, 5 Points Neighborhood Association meeting, design has been refined to eliminate merge extensions from the project design. The elimination of the merge extensions eliminates the need for a traffic noise analysis for this project consistent with FDM 23, WisDOT's written traffic noise policy. Noise Barriers are no longer being considered as part of the project design.)*
7. WisDOT participates in the Transportation Alliance for New Solutions (TrANS) program to help fill entry-level laborer positions for construction contractors. It is a public-private collaboration that prepares Wisconsin's workforce with the skills needed to contribute to the transportation construction industry as laborers and apprentices and involves those who have been underrepresented historically in the industry including minorities. WisDOT will evaluate the potential use of this program for this Project. Also, WisDOT will utilize Disadvantage Business Enterprise (DBE) goals for the Project to increase participation of DBE firms.

Northshore Rotary/January 27, 2020: No specific response required.

District 5 National Night Out/August 30, 2021:

1. Followed up with Riverworks community group regarding possible meeting later in the year, no response received.

Bronzeville Advisory Committee/September 20, 2021:

1. The Environmental Report includes commitments to minimize and mitigate impacts caused by the current project scope. See Question 23 Environmental Commitments.
2. WisDOT is open to continued coordination with the local creative community as the project proceeds into final design and construction. Examples of recent coordination include collaboration with artists to improve the visual quality of the underpass under I-794 in the Third Ward.

⁶ Since the October 26, 2019, 5 Points Neighborhood Association meeting, design has been refined to eliminate merge extensions from the Project design. This design refinement occurred due to response to public feedback and a design challenge in the North Avenue Curve that was realized following the September 25, 2021 PIM.

⁷ See footnote 6. The merge extension is removed from the Project.

Public Involvement Meeting/ September 15, 2021:

1. During final design and prior to construction, WisDOT will develop a Traffic Management Plan and communicate the schedule activities, closures and detours with local officials and other stakeholders, including emergency services, Milwaukee County Transit Service and other transportation providers.
2. WisDOT will follow FHWA regulations⁸ for evaluating and implementing feasible and reasonable noise barriers in the project corridor. The response provided to the question asked during the meeting is documented here. Since the September 15, 2021 public involvement meeting, design has been refined to eliminate merge extensions from the project design. The elimination of the merge extensions eliminates the need for a traffic noise analysis for this project consistent with FDM 23, WisDOT's written traffic noise policy. Noise Barriers are no longer being considered as part of the project design.

5 Points Neighborhood Association/ September 25, 2021:

1. Communication was provided to neighborhood representatives to answer the questions specific to construction activities related to the I-43 Capitol Drive to Hampton Avenue project.

16. Local, County, State, Tribal, Federal Government Coordination:

A. Identify units of government contacted and provide the date coordination was initiated.

Unit of Government (Village, Town, MPO, RPC, City, County, Tribe, Federal, etc.)	Coordination Correspondence Attached	Coordination Initiation Date (mm/dd/yyyy)	Comments
City of Milwaukee alderpersons and Milwaukee County supervisors	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	02/11/2022	Phone call and email notifications of March 10, 2022 PIM to provide project update. Follow up contact on March 8, 2022. Alderwoman Coggs emailed constituents on March 10, 2022.
Milwaukee County Board Transportation and Public Works Committee	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1/19/2022	Presented revised scope and new preferred alternative including removal of merge transition lane and noise barriers from the project, project schedule, bridge improvements, and coordination with other projects.
City of Milwaukee Alderwoman Milele Coggs	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	10/8/2021	Project update, presented base scope and proposed safety and operational improvements.
Local Officials Meeting	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9/10/2021	Provide information to be presented at the 9/15/2021 public information meeting. WisDOT invited staff and elected officials from the City of Milwaukee and Milwaukee County, the City of Glendale and Village of Shorewood. State and federal legislators were also invited to the meeting.
City of Milwaukee Alderman Russell Stamper, II	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	8/19/2021	Project update
Milwaukee County Supervisor Willie Johnson	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	8/17/2021	Project update
Milwaukee County Supervisor Priscilla Coggs-Jones and Milwaukee County DPW Director Donna Brown	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	8/14/2021	Project update

⁸ eCFR :: 23 CFR Part 772 -- Procedures for Abatement of Highway Traffic Noise and Construction Noise

Unit of Government (Village, Town, MPO, RPC, City, County, Tribe, Federal, etc.)	Coordination Correspondence Attached	Coordination Initiation Date (mm/dd/yyyy)	Comments
Milwaukee County Board Transportation Committee	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9/9/2020	Project update
Tribal Coordination	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	07/17/2020	WisDOT sent requests for consulting parties to tribal agencies. The Forest County Potawatomi Community responded. See Section 19.
City of Milwaukee Alderman Russell Stamper, II	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	3/4/2020	Project update
City of Milwaukee Alderman Ashanti Hamilton	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	3/4/2020	Project update
City of Milwaukee Department of City Development (DCD)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1/15/2020	Project update; discussion of Halyard improvements on local development.
City of Milwaukee Alderwoman Milele Cogs	<input type="checkbox"/> Yes <input type="checkbox"/> No	11/20/2019	Present the early Project concepts and alternatives and to obtain feedback.
Milwaukee County Department of Transportation (DOT)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	11/19/2019	Present the early Project concepts and alternatives and to obtain feedback.
City of Milwaukee Department of Public Works (DPW)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	10/24/2019	Present the early Project concepts and alternatives and to obtain feedback.

B. Describe the issues, if any, identified by units of government during the public involvement process:

1. General support for operational and safety modifications; concern for managing freeway litter.
2. Noise barriers: Comments ranged from general support to concern about additional community separation caused by physical barrier; concern about equity of the barrier voting process (absentee owners having more influence on barrier than local residents); and attractive nuisance for graffiti. When the scope was revised and noise barriers no longer under consideration, local officials asked that WisDOT notify constituents.
3. Local Officials Meeting: Concerns that construction will be coordinated with other I-43 construction projects north of Capitol Drive to reduce lane restrictions and access for emergency services; questions when project construction will start (anticipated late 2022).
4. North/Halyard Bridges: Units of government expressed concerns about potential community impacts from proposed bridge concepts at North Avenue and Halyard Street. Concerns were related to pedestrian mobility and pedestrian safety, as well as private property impacts to lands identified for future redevelopment as part of the Bronzeville redevelopment area.
5. Inside Shoulder Width: Milwaukee County expressed concerns with the smaller inside shoulder widths and the ability for maintenance crews to perform inspections and do repair work within the space provided. Other concerns about inside shoulder width included space for snow storage and refuge areas for disabled vehicles.

C. Briefly describe how the issues identified above were addressed:

1. Freeway litter within I-43 right of way would be managed similar to litter management practices on interstate freeways in Milwaukee County.
2. Noise barriers: WisDOT notified the local community of changes to the scope and that noise barriers are no longer being considered at the PIM held March 10, 2022.
3. Local Officials Meeting: Lane closures and restrictions during construction will be coordinated between different project contractors to the greatest extent practicable. During final design and prior to construction, WisDOT will

develop a Traffic Management Plan and communicate scheduled activities, closures and detours with local officials and other stakeholders, including emergency services, Milwaukee County Transit Service and other transportation providers. WisDOT will continue to communicate activities and scheduled closures and lane restrictions throughout the duration of construction.

4. North/Halyard bridges: The North Avenue and Halyard Street bridge concepts are no longer being considered for this Project due to the concerns and opinions from the city of Milwaukee and Alderwoman Coggs. No work at these bridges is proposed for this Project. Condition of both the North Avenue and Halyard Street bridges will be addressed with a future project.
5. Inside Shoulder Width: Maintenance crews will likely have to take a lane closure with the proposed alternatives to do work, which would need to be accounted for in maintenance work scope and budget. WisDOT Staff will consider adding channel locks for traffic control signs in the center concrete barrier.

D. Indicate any unresolved issues or ongoing discussions: WisDOT is continuing ongoing coordination with local officials and community groups to address project concerns raised during public engagement, including construction impacts and changes in requirements to complete a traffic noise analysis for the project consistent with WisDOT's Noise Policy.

17. Public Hearing Requirement:

- A. This document is an Environmental Assessment.
- A Notice of Opportunity to Request a Public Hearing **will be** published, or,
 - A Public Hearing **will be** held.
- B. This document is a Categorical Exclusion / Environmental Report.
- 1. A substantial amount of right-of-way **will** be acquired.
 - 2. The proposed action **will** substantially change the layout or functions of connecting roadways or of the facility being improved.
 - 3. The proposed action **will** have a substantial adverse impact on abutting property.
 - 4. The proposed action **will** have other substantial social, economic, or environmental effects.
 - 5. The department has determined that a public hearing is in the public interest.
- If one or more of boxes 1-5 above have been checked, you must check one the of the next 2 boxes
- A Notice of Opportunity to Request a Public Hearing **will be** published, or,
 - A Public Hearing **will be** held.
- If none of boxes 1-5 above have been checked then check the box below.
- Notice of Opportunity to Request a Public Hearing **will not** be published, and a Public Hearing **is not** required

When a Notice of Opportunity to Request a Public Hearing is published, and/or a Public Hearing is held, the final EA or CE / ER will include the Environmental Document Availability and Hearing Summary sheet at the beginning of the document, after the signature page.

For projects requiring FHWA funding and/or approval(s), FHWA approval of this environmental document indicates concurrence with the department's Public Hearing requirement determination.

18. Traffic Summary:

Traffic Forecast is not required, explain: _____ and skip to Question 19.

Traffic Summary Matrix	ALTERNATIVES/SECTIONS					
	No Build	Build Alternative 2, Rehabilitation ⁹				
TRAFFIC VOLUMES						
Base Yr. AADT Yr. 2019	150,300	150,300				
Const. Yr. AADT Yr. 2021	152,000	152,000				
Const. Plus 10 Yr. AADT Yr. 2031	160,200	160,200				
Design Yr. AADT Yr. 2050	175,800	175,800				
DHV Yr. 2050	13,300	13,300				
TRAFFIC FACTORS						
K:200 (%)	7.6%	7.6%	%	%	%	%
D (%)	52.1%	52.1%	%	%	%	%
Design Year T (% of AADT)	7.3%	7.3%	%	%	%	%
T (% of DHV)	7.3%	7.3%	%	%	%	%
Level of Service (NB/SB)	F/E	E ¹⁰				
SPEEDS						
Existing Posted	55	55				
Future Posted	55	55				
Design Year Project Design Speed	55	55				
OTHER (specify)						
P (% of AADT)	6.9%	6.9%	%	%	%	%
K ₈ (% OF AADT)	48.5%	48.5%	%	%	%	%
Other						

AAADT = Annual Average Daily Traffic

K [30/100/200] : K₃₀ = Interstate, K₁₀₀ = Rural, K₂₅₀ = Urban, % = AADT in DHV

T = Trucks

K₈ = % AADT occurring in the average of the 8 highest consecutive hours of traffic on an average day (required only if CO analysis is required).

DHV = Design Hourly Volume

D = % DHV in predominate direction of travel

P = % AADT in peak hour

- A. Identify the agency that generated the data included in the Traffic Summary Matrix: Base and design year average annual daily volumes (AADT) and design hour volumes were developed by WisDOT using Southeastern Wisconsin Regional Planning Commission (SEWRPC) forecasts and growth rates. SEWRPC provided average weekday daily volumes (AWDT) for interim and design years. Construction year and construction year plus 10 AADT volumes were estimated based on linear interpolation of base and design year AADTs.
- B. Identify the date (month/year) that the traffic forecast data included in the Traffic Summary Matrix was developed: Interim and design year average weekday daily volume forecasts were received by WisDOT from SEWRPC in March 2019.
- C. Identify the methodology and/or computer program(s) used to develop the data included in the Traffic Summary Matrix: SEWRPC utilized the regional travel demand model to develop the forecasted volumes for the I-43 corridor. No Build and Build levels of service (LOS) were developed using VISSIM microsimulation model outputs and Highway Capacity Manual 6th Edition LOS density thresholds.

⁹ Build Alternatives 1 and 3 were screened out from consideration prior to detailed alternative analysis. The No Build Alternative and Build Alternative 2 are included in this matrix.

¹⁰ LOS based on weighted directional density from VISSIM model for the 4 p.m. hour within the physical Project limits.

- D. If a metric other than Annual Average Daily Traffic (AADT) is used for describing traffic volumes such as Average Annual Weekday Traffic (AWDT), explain why a different metric was used and how it compares to AADT: SEWRPC provided AWDT forecast volumes for the I-43 corridor as the regional travel demand model simulates an average weekday. Forecast AWDTs were converted to AADTs using a conversion factor derived from data collected at two automatic traffic recorder (ATR) stations within the I-43 corridor.

19. Agency and Tribal Coordination:

Agency	Coordination Required?	Correspondence Attached?	Comments
WisDOT			
Region Real Estate Section	<input checked="" type="checkbox"/> No	N/A	Coordination is not required because there will be no Fee, PLE or TLE acquisitions.
	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	Coordination is being done by WisDOT Real Estate including discussion of project effects and relocation assistance, explain: .
Bureau of Aeronautics	<input checked="" type="checkbox"/> No	N/A	Coordination is not required. The project is not located within 5 miles of a public or military use airport.
	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	Coordination has been completed and project effects have been addressed. Explain:
Railroads and Harbors Section	<input checked="" type="checkbox"/> No	N/A	Coordination is not required because no railways or harbors are in or planned for the project area.
	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	Coordination has been completed and project effects have been addressed. Explain:
STATE AGENCIES			
Natural Resources (DNR)	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The initial review letter from DNR dated September 29, 2020 (See Appendix D) states there are no significant environmental impacts, and the WisDOT/DNR Cooperative Agreement will be met for the Project design. Project specific construction site considerations and construction methods will be outlined in the Project's Erosion Control Implementation Plan.</p> <p>DNR indicated a migratory bird concentration site is known to be present within the project area north of Keefe Avenue. Sites are used by many different species, both rare and non-rare, and while these birds may not be protected under endangered species laws, they are protected under the federal Migratory Bird Treaty Act (MBTA). Disturbance including clearing of trees and shrubs and disturbance of nests, including under any of the overpass bridges north Keefe Avenue will be kept to a minimum during the spring and fall migration seasons (March 15 – May 31 and August 1 – October 31). See also, additional migratory bird provisions under USFWS coordination.</p>
State Historic Preservation Office (SHPO)	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The SHPO concurred the Project will have no adverse effect on historic properties. See Appendix E .
Agriculture (DATCP)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Other, (identify)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
FEDERAL AGENCIES			
U.S. Army Corps of Engineers (USACE)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Agency	Coordination Required?	Correspondence Attached?	Comments
U.S. Fish and Wildlife Service (USFWS)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>WisDOT completed the online IPaC query to identify any federally threatened, endangered, proposed and candidate species that may occur within the boundary of the Project. USFWS identified the following four species may be present in the Project area: Northern Long-eared Bat, <i>Myotis septentrionalis</i>, (threatened), Red Knot, <i>Calidris canutus rufa</i> (threatened), Monarch Butterfly <i>Danaus plexippus</i> (candidate) and Rusty Patched Bumble Bee, <i>Bombus affinis</i> (endangered). No critical habitats within the Project area were identified.</p> <p>The consistency letter from USFWS dated August 11, 2020, indicated the IPaC-assisted determination allows WisDOT to rely on the Programmatic Biological Opinion (PBO) for compliance with ESA Section 7(a)(2) only for the Northern Long-eared Bat; however, any take that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o). The PBO does not apply to the Red Knot or Rusty Patched Bumble Bee. (<i>Note: WisDOT has made a determination the Project will not affect the Red Knot or the Rusty Patched Bumble Bee due to lack of suitable habitat. See Threatened, Endangered and Protected Resources Factor Sheet</i>). If the Action may affect other federally listed species besides the Northern Long-eared Bat, a proposed species, and/or designated critical habitat, additional consultation between WisDOT and USFWS is required. (See Appendix D.)</p> <p>The WisDOT design project manager will include special provisions for migratory bird protection, noting Project demolition and construction will either occur only between August 30 and May 1st. (non-nesting season) or the WisDOT construction project manager will utilize measures to prevent nesting (e.g., remove unoccupied nests during the non-nesting season and install barrier netting prior to May 1). If netting is used, the WisDOT construction project manager will ensure it is properly maintained, then removed as soon as the nesting period is over. If neither of these options is practicable, the WisDOT construction project manager will notify the Environmental Coordinator who will contact USFWS to apply for a depredation permit. See also additional migratory bird provisions under DNR coordination.</p>
U.S. Forest Service (USFS)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Natural Resources Conservation Service (NRCS)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
U.S. National Park Service (NPS)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
U.S. Coast Guard (USCG)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
U.S. Environmental Protection Agency (EPA)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Advisory Council on Historic Preservation (ACHP)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Agency	Coordination Required?	Correspondence Attached?	Comments
Other (identify)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
SOVEREIGN NATIONS			
American Indian Tribes	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	Coordination with the American Indian Tribes of Wisconsin began 07/17/2020 and is shown in Appendix E . On August 13, 2020, the Forest County Potawatomi Community found that no historic properties are affected. If SHPO does not concur with this finding, the tribe reserves the right to reconsider this based on the new information provided SHPO. Also, the Forest County Potawatomi Community stated that in the event that human remains, or archaeological materials are exposed as a result of Project activities work must halt and the Tribe must be included in any consultation regarding treatment and disposition of the find prior to removal.
Project Involves American Indian Tribal Lands or Reservation Lands	<input checked="" type="checkbox"/> No	N/A	
	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	
Other Agencies			
Milwaukee County Transit System (MCTS)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Coordination with Milwaukee County Transit System (MCTS) was initiated in September of 2021. A Project overview and schedule were provided. Bus Routes that could be impacted or may require a detour by the Project were identified. MCTS reviewed Project plans; they did not have concerns at that time but requested coordination continue as the Project gets closer to construction.

20. Alternatives Comparison:

All estimates including costs are based on conditions described in this document at the time of preparation; costs are provided in the year of expenditure (YOE). Additional agency or public involvement may change these estimates in the future.

PROJECT PARAMETERS	Unit of Measure	Alternatives/Sections					
		No Build	Build Alternative 2, Rehabilitation ¹¹				
Project length	Miles	2.63	2.63				
PRELIMINARY COST ESTIMATE (YOE)							
Construction	Million \$	0	45				
Real Estate	Million \$	0	0				
TOTAL	Million \$	0	45				
LAND CONVERSIONS							
Total area converted to ROW	Acres	0	0				
REAL ESTATE							
Number of farms affected	Number	0	0				
Total area required from farm operations	Acres	0	0				
AIS required		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Farmland rating	Score	NA	NA				
Total buildings required	Number	0	0				
Housing units required	Number	0	0				
Commercial units required	Number	0	0				
Other buildings or structures required	Number & Type	0	0				
ENVIRONMENTAL FACTORS							
Indirect impacts		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Cumulative impacts		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Environmental justice population(s) affected		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
Number of historic properties affected	Number	0	0				
Burial site protection (authorization required)		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Section 106 MOA required		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Section 4(f) evaluation or determination required	Number	0	0				
Section 6(f) land conversion required	Number	0	0				
Impacts to other specially funded properties	Number	0	0				
Floodplain impacts	Number	0	0				
Unique upland habitat impacted	Number	0	0				
Total wetlands permanently impacted	Acres	0	0.09				
Stream crossings	Number	0	0				
Noise analysis required receptors impacted	Number	0	0				
Contaminated sites impacted	Number	0	3				
	Number						

¹¹No build cost accounts for routine maintenance and inspection, but could be greater pending ongoing needs to resolve inherent deficiencies

*If 1 or more acres or in an urbanized area a stormwater permit will be required.

¹¹ Build Alternatives 1 and 3 were screened out from consideration prior to detailed alternative analysis. The No Build Alternative and Build Alternative 2 are included in this matrix.

21. Significance Criteria:

In determining whether a proposed action is a “major action significantly affecting the quality of the human environment,” the proposed action must be assessed considering the definition of significantly as used in NEPA and requires the consideration of both context and intensity (as defined by CEQ in 40 CFR 1508.27):

Context means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. Both short- and long-term effects are relevant.

Intensity means to the severity of the impact. Responsible officials must bear in mind that more than one agency may make a decision about partial aspects of a major action.

If a significant impact(s) will result the no-build alternative should be selected or the preparation of an Environmental Impact Statement (EIS) should commence.

Indicate whether the issues listed below is a concern for the proposed action or alternative and if the issue is a concern, explain how it is to be addressed or where it is addressed in the environmental document. If the document preparer believes the “Yes” box should be checked for any of the following items, contact your REC and BTS-EPDS liaison immediately to discuss.

- A. Will the proposed action result in a significant beneficial or adverse impact?
 No
 Yes, explain or indicate where addressed:

- B. Will the proposed action stimulate significant indirect environmental impacts?
 No
 Yes, explain or indicate where addressed:

- C. Will the proposed action result in a significant impact to public health or safety?
 No
 Yes, explain or indicate where addressed:

- D. Will the proposed action result in a significant impact to geographically scarce resources?
 No
 Yes, explain or indicate where addressed:

- E. Will the proposed action have possible impacts on the human environment that are highly controversial, highly uncertain or involve unique or unknown risks?
 No
 Yes, explain or indicate where addressed:

- F. Will the direct and indirect impacts of proposed action when combined with past, present and reasonably foreseeable actions result in significant cumulative impacts?
 No
 Yes, explain or indicate where addressed:

- G. Will the proposed action violate an applicable law or requirement imposed for the protection of the environment?
 No
 Yes, explain or indicate where addressed:

22. Environmental Factors Matrix (check all that apply):

If the effects on the environmental factor can't be adequately summarized in several sentences, the Factor Sheet for the environmental factor must be included. If the Factor Sheet is completed include a brief summary.

Factors	Adverse Impact	Beneficial Impact	No Impacts Identified	Factor Sheet Attached	Effects
Business and Economic	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>For those Factors not present in the project area indicate not present.</p> <p>The proposed action is not expected to impact businesses as it will not acquire right of way from businesses, and it will not result in business relocations. The proposed action will improve traffic operations along the freeway and make it safer to enter and exit the interchange ramps, while maintaining all existing access points and east-west cross access over the freeway.</p> <p>During construction, travelers may experience temporary traffic inconveniences from short-term ramp and lane closures along the mainline and bridge closures. This may result in periodic traffic delays and less direct travel for some business trips in the Project area including workers who use transit. Traffic along detour routes may increase temporarily during construction but access to businesses along detour routes will be maintained.</p> <p>See Business and Economic Factor Sheet.</p>
Community	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The Project's footprint will be constructed within the existing right of way and will not require the acquisition of property, nor will it require relocations. All existing interchange access points and east-west cross access (overpasses) will remain following construction.</p> <p>The Project will rehabilitate infrastructure and maintain reliable access to employment, educational facilities, recreational amenities, social services and other community resources.</p> <p>During construction, travelers, emergency services and transit operations may experience temporary traffic inconveniences from short-term ramp and lane closures along the mainline and bridge closures. This may result in periodic traffic delays and less direct travel for some trips in the Project area including local residents that rely on transit. Other temporary impacts could include increase noise and air quality impacts and further impact quality of life.</p> <p>During bridge closures, vehicles, bicyclists and pedestrians will need to use adjacent east-west streets to travel over the freeway. Also, buses will need to be rerouted around the bridge closures and nearby bus stops may need to be temporarily relocated. No bus routes will be discontinued during construction.</p> <p>See Community Factor Sheet.</p>
Aesthetics	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The Project is not expected to change the visual quality of the area or sensitive viewsheds as the freeway will be rehabilitated within the exiting right way and along the existing freeway alignment.
Agriculture	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Not present
Relocations	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No relocations required
Indirect Impacts	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		The Project is not expected to cause indirect effects since I-43 will be rehabilitated with no changes to capacity or access.
Cumulative Impacts	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		The Project is not expected to contribute to cumulative effects given the Project's minimal direct Project impacts and the lack of indirect effects.

Factors	Adverse Impact	Beneficial Impact	No Impacts Identified	Factor Sheet Attached	Effects
Environmental Justice	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>For those Factors not present in the project area indicate not present.</p> <p>Minority and low-income populations are present in the study area. The study area population is 93.4 percent minority and has a poverty rate of 37.2 percent.</p> <p>Due to the prevalence of minority and low-income populations adjacent to the Project corridor, Project impacts related temporary construction impacts would impact environmental justice populations. These impacts would not have a disproportionately high and adverse effect on minority and low-income populations as these impacts would be spread throughout the Project area, as well as anticipated mitigation, and will be experienced by all populations. By meeting Project needs the proposed improvements would also benefit minority and low-income populations who use I-43.</p> <p>See Environmental Justice Factor Sheet.</p>
Historic Properties	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The Chief Lippert Fire Station, (642 W. North Avenue) is listed on the National Register of Historic Places (NRHP). The Project will have no adverse effect on the property.</p> <p>See Historic Properties Factor Sheet. See Appendix E for Section 106 documentation.</p>
Burial Sites	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Not Present
Tribal	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<p>WisDOT sent coordination letters to 13 American Indian Tribes with an interest in projects in Milwaukee County. On August 13, 2020, the Forest County Potawatomi Community found that no historic properties are affected. If SHPO does not concur with this finding, the tribe reserves the right to reconsider this based on the new information provided SHPO. Also, the Forest County Potawatomi Community stated that in the event that human remains, or archaeological materials are exposed as a result of Project activities work must halt and the Tribe must be included in any consultation regarding treatment and disposition of the find prior to removal.</p> <p>No other Tribal responses were received.</p> <p>Appendix E includes a sample tribal letter and the response from Forest County Potawatomi Community.</p>
Section 4(f)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Not present
Section 6(f) and other Unique Funding	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Not present
Wetlands	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A wetland delineation was completed in June 2019. The Project permanently impacts 0.09 acres of wet meadow and shallow marsh wetlands from filling and grading activities for construction. The Project, identified as single and complete linear project by United States Army Corps of Engineers (USACE) criteria, is exempt from PCN requirements. WisDOT will notify USACE and WDNR through submittal of No PCN required notifications for the Project.</p>
Surface Water Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Not present
Groundwater, Wells, and Springs	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Not present

Factors	Adverse Impact	Beneficial Impact	No Impacts Identified	Factor Sheet Attached	Effects
Coastal Zones	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		For those Factors not present in the project area indicate not present. The Project is in Milwaukee County, adjacent to Lake Michigan. Coordination for coastal zone consistency is being completed through ongoing coordination with WDNR.
Floodplains	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Not present
Unique Wildlife and Habitat	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Not present
Threatened, Endangered or Protected Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p>USFWS and WDNR identified federal and state listed species that are either threatened, endangered or species of Special Concern. The Project will have no effect on federally listed threatened or endangered species. The DNR found the Project as proposed will have no significant effect on protected resources.</p> <p>A migratory bird concentration site is known to be present within the project area north of Keefe Avenue. Sites are used by many different species, both rare and non-rare, and while these birds may not be protected under endangered species laws, they are protected under the federal Migratory Bird Treaty Act (MBTA). Disturbance including clearing of trees and shrubs and disturbance of nests, including under any of the overpass bridges north Keefe Avenue will be kept to a minimum during the spring and fall migration seasons (March 15 – May 31 and August 1 – October 31).</p> <p>For all bridge structures to be disturbed in the Project corridor, the WisDOT design project manager will include special provisions for migratory bird protection, noting Project demolition and construction will either occur only between August 30 and May 1st. (non-nesting season) or the WisDOT construction project manager will utilize measures to prevent nesting (e.g., remove unoccupied nests during the non-nesting season and install barrier netting prior to May 1). If netting is used, the WisDOT construction project manager will ensure it is properly maintained, then removed as soon as the nesting period is over. If neither of these options is practicable, the WisDOT construction project manager will notify the Environmental Coordinator who will contact USFWS to apply for a depredation permit.</p> <p>See Threatened, Endangered or Protected Resources Factor Sheet.</p>
Air Quality	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The Project is exempt from air quality conformity.</p> <p>See Air Quality Factor Sheet.</p>
Construction Sound	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Noise would be generated by construction equipment used to rehabilitate the roadway and bridges. Typical construction equipment would include dump trucks, graders, cranes, bulldozers, piledriving equipment and pavement reconstruction equipment. The noise generated by this construction equipment would vary greatly, depending upon the equipment type and model, mode and duration of operation, and specific type of work effort; however, typical noise levels may occur in the 75-to-95dBA range (at 50 feet). Adverse effects related to construction noise are anticipated to be of a localized, temporary, and transient nature.</p> <p>See Construction Sound Factor Sheet.</p>
Traffic Noise	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	A detailed noise analysis was not required for the Project. No impacts are anticipated.

Factors	Adverse Impact	Beneficial Impact	No Impacts Identified	Factor Sheet Attached	Effects
					For those Factors not present in the project area indicate not present. Early in Project development Build Alternative 3 was under consideration. Build Alternative 3, as discussed in this ER included merge transition lanes along mainline I-43, which were greater than 2,500 feet in length. This alternative would qualify this Project as a Type I project for traffic noise necessitating a traffic noise analysis. A preliminary traffic noise analysis was completed early in Project development for Alternative 3 and DRAFT results were shared with the public and local officials at the September 2021 PIM. Since the September 2021 PIM, additional analysis has been completed and Build Alternative 2 has been identified as the Preferred Alternative. Since Alternative 2 is being advanced, this is no longer considered a Type I project for traffic noise.
Hazardous Substances, Contamination and Asbestos		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Phase 2 and Phase 2.5 investigations were completed for three sites within the Project limits. Five bridges have asbestos containing materials. WisDOT will include special provisions in Project plans for managing hazardous materials. See Hazardous Substances, Contamination and Asbestos Factor Sheet.
Stormwater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The Project is within a permitted stormwater management area. Inline stormwater management strategies are being incorporated into the Project. See Stormwater Factor Sheet.
Erosion and Sediment Control	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Erosion control during construction will be addressed through standard WisDOT processes and contract Special Provisions. The contractor is required to provide an Erosion Control Implementation Plan to DNR for review and approval prior to construction. WisDOT will use its standard erosion control inspection process during construction.
OTHER FACTORS					
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

23. Environmental Commitments:

Identify and describe any avoidance, minimization or compensation measures (commitments) in detail. Be specific on what needs to happen and specifically where on the project. Indicate when the commitment should be implemented and who in WisDOT is responsible for fulfilling each commitment (Project Manager, Environmental Coordinator, etc.). Please note if the commitment will be indicated on the final plan, recorded in the Plans, Specifications and Estimates (PS&E), under special provisions in the final plan set, in construction notes, or some other written format. Attach a copy of this completed matrix to the design study report and the PS&E submittal package. Be sure to update it if further commitments are made after the Environmental Document is signed.

Factor	Commitment (If none, include N/A)
Business and Economics	<p>WisDOT’s construction project manager will evaluate the potential use of the Transportation Alliance for New Solutions (TrANS) program that seeks to fulfill entry-level laborer positions for construction contractors for this Project.</p> <p>WisDOT’s construction project manager will utilize Disadvantage Business Enterprise (DBE) goals for the Project to increase participation of firms owned by disadvantaged individuals in transportation facility contracts.</p> <p>WisDOT’s construction project manager will maintain a minimum of two lanes of traffic in each direction during daytime construction along the freeway. Reduced traffic lanes and freeway closures will be required during nighttime work. If detour routes are needed for temporary, short-term ramp closures or nighttime freeway closures, the WisDOT construction project manager will post detour signs as needed along local state routes.</p> <p>WisDOT’s construction project manager will notify area businesses about ramp closures and bridge closures during construction in accordance with the Project’s public involvement plan.</p>

Factor	Commitment (If none, include N/A)
Community	<p>WisDOT’s design project manager will coordinate with local and state officials as the design for the Project progresses to communicate design plans and obtain input. WisDOT’s design project manager will also oversee public engagement activities along the corridor in accordance with the Project’s public involvement plan.</p> <p>During final design and prior to construction, the WisDOT design project manager will develop a Transportation Management Plan and communicate the schedule activities, closures, and detours with local officials and other stakeholders, including emergency services and other transportation providers. WisDOT will determine required closures during final design in coordination with the city of Milwaukee and Milwaukee County.</p> <p>During final design and prior to construction, the WisDOT design project manager will continue working with Milwaukee County Transit System (MCTS) specific to the Project schedule and specific to closures and bus route detours.</p> <p>WisDOT’s construction project manager will stage bridge construction to avoid closing consecutive bridges during construction and will communicate bridge closures to the public prior to construction in accordance with the Project’s public involvement plan. WisDOT will also use signage in advance of the bridge work to notify travelers of the upcoming bridge closure.</p> <p>WisDOT’s design project manager and WisDOT’s construction project manager will coordinate with transit agencies prior to and during construction to communicate construction schedules and determine alternate bus stop locations and potential changes to bus routes, if needed.</p> <p>WisDOT’s construction project manager will coordinate with the City of Milwaukee and Milwaukee County to communicate construction schedules, including lane, ramp and bridge closures and potential detour routes. WisDOT’s construction project manager will coordinate with local governments to adjust signal timings, as needed, along detour routes.</p> <p>WisDOT’s construction project manager will coordinate with emergency services prior to and during construction to provide advanced notice for any freeway lane, ramp or bridge closures.</p> <p>WisDOT’s construction project manager will apply dust control measures during construction to reduce dust brought about by excavation and wind erosion of any exposed earth surfaces in accordance with WisDOT FDM 10-10-41.</p>
Aesthetics	N/A
Agriculture	N/A
Relocations	N/A
Indirect Impacts	N/A
Cumulative Impacts	N/A
Environmental Justice	No additional commitments to avoid or minimize impacts to environmental justice populations.
Historic Properties	<p>The WisDOT design project manager will follow up with the Forest County Potawatomi Community should the SHPO comments differ from the Tribe’s finding.</p> <p>The WisDOT construction project manager work must halt work in the event that human remains, or archaeological materials are exposed as a result of Project activities and include the Tribe in consultation regarding treatment and disposition of the find prior to removal.</p>
Burial Sites	N/A
Tribal Lands	N/A

Factor	Commitment (If none, include N/A)
Section 4(f)	N/A
Section 6(f) or Other Specially Funded Lands	N/A
Wetlands	WisDOT design project manager and environmental staff will notify USACE and WDNR of the Project's unavoidable impacts to 0.09 acres of wetlands through submittal of wetland impact documentation, No Preconstruction Notice (PCN) is required for the Project.
Surface Water Resources	N/A
Floodplains	N/A
Groundwater, Wells and Springs	N/A
Coastal Zones	N/A
Unique Wildlife and Habitat Concerns	N/A
Threatened and/or Endangered Species	<p>A migratory bird concentration site is known to be present within the project area north of Keefe Avenue. Sites are used by many different species, both rare and non-rare, and while these birds may not be protected under endangered species laws, they are protected under the federal Migratory Bird Treaty Act (MBTA). Disturbance including clearing of trees and shrubs and disturbance of nests, including under any of the overpass bridges north Keefe Avenue will be kept to a minimum during the spring and fall migration seasons (March 15 – May 31 and August 1 – October 31).</p> <p>For all bridge structures to be disturbed in the Project corridor, the WisDOT design project manager will include special provisions for migratory bird protection, noting Project demolition and construction will either occur only between August 30 and May 1st. (non-nesting season) or the WisDOT construction project manager will utilize measures to prevent nesting (e.g., remove unoccupied nests during the non-nesting season and install barrier netting prior to May 1). If netting is used, the WisDOT construction project manager will ensure it is properly maintained, then removed as soon as the nesting period is over. If neither of these options is practicable, the WisDOT construction project manager will notify the Environmental Coordinator who will contact USFWS to apply for a depredation permit.</p>
Air Quality	N/A
Construction Sound	WisDOT construction project manager will implement Standard Specifications 107.8(6) and 108.7.1.
Traffic Noise	N/A
Hazardous Substances, Contamination and Asbestos	<p>The WisDOT design project manager will include in the contract special provisions a Notice to Contractor describing the potential contamination with names and locations of the sites. The WisDOT construction project manager will properly dispose of any contaminated materials encountered.</p> <p>The WisDOT construction project manager will inform the contractor whether asbestos is present and whether they will be responsible for its removal by implementing Standard Special Provision (STSP) 107-125 (No Asbestos Found), STSP 107-120 (Asbestos Containing Materials) and STSP 203-005 (Abatement of Asbestos Containing Material) as may be applicable on each affected bridge.</p>
Stormwater	N/A

Factor	Commitment (If none, include N/A)
Erosion Control	If required, the WisDOT design project manager will obtain coverage under the WisDOT Transportation Construction General Permit prior to construction activities. The WisDOT construction project manager will oversee implementation of stormwater management and erosion control as described in DNR's initial review letter of 9/29/20 (see Appendix D).
Other: Selected Site and Commercial non-Metallic Mines	Per DNR initial review letter of 9/29/20, the WisDOT construction project manager will oversee the DOT Select Site process. The WisDOT construction project manager will confirm use of commercial non-metallic mines have received all applicable local, state and federal permits before being used on the Project.
Other: Invasive Species and Viral Hemorrhagic Septicemia (VHS)	Per DNR initial review letter of 9/29/20, the WisDOT construction project manager will be responsible for overseeing Project equipment decontamination for removal of invasive species. The WisDOT construction project manager will be responsible to prevent illegal transport of ash material, the emerald ash borer (EAB) and hardwood debris from EAB quarantined areas to a non-quarantined area.

BUSINESS AND ECONOMICS Factor Sheet

06-11-2019

Wisconsin Department of Transportation

Alternative: Build Alternative 2 Rehabilitation	Preferred: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None identified	Project ID: 1228-22-00
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1. Describe the existing business and/or economic development areas affected by the proposed action:

Existing business activity immediately adjacent to the project corridor includes retail facilities, offices, wholesale and light industrial. Retail facilities in the area include a grocery store, auto repair shops, a laundromat, restaurants, corner stores and gas stations. There are also many neighborhood-oriented businesses intermixed among residential properties.

Economic development areas within a half-mile study area around the project corridor include two city of Milwaukee business improvement districts (BID): Historic King Drive BID and the North Avenue Marketplace BID. The purpose of the BIDs is to promote the revitalization of these commercial corridors. The Bronzeville tax increment district (TID) is located to the east of the project corridor and extends from Garfield Street on the south to Burleigh Street to the north. The purpose of the Bronzeville TID is to encourage redevelopment that fosters the revitalization of an African American cultural and entertainment district. The project corridor is largely within the Division/Harambee Milwaukee Promise Zone which extends from Brown Street on the south to Ring Street to the north. The Milwaukee Promise Zone initiative is based on the federal Promise Zone program and is designed to advance economic activity and leverage outside investment.

Regional economic areas near the project corridor include downtown Milwaukee, which is approximately 0.5 mile south of the southern construction limits. It has a high concentration of professional offices and service businesses and is the economic center of southeastern Wisconsin. To the east of the project corridor is the Riverworks Industrial Center, a 35-acre business park with light industrial, retail and office uses. The 30th Street Industrial Corridor to the west of the project corridor is a regional business center that is home to commercial and industrial uses. These areas have been a focus of city redevelopment efforts to create jobs near workers in the City of Milwaukee.

See **Appendix C** for a map of business resources in the project area.

2. Identify and discuss existing modes of transportation within the existing business and/or economic development area and how they serve businesses or other economic interests:

Within the study area, passenger vehicles and delivery trucks use the local roadways and regional freeway system to access places of employment and businesses. I-43 provides regional and interstate access with full interchange access to the local street network at North Avenue, Locust Street, Keefe Avenue/Atkinson Avenue and Capitol Drive.

Most of the streets adjacent to the project area have sidewalks. On-street bike lanes are also present along N. 14th Street, N. 12th Street, N. 6th Street, W. Walnut Street, W. North Avenue, W. Center Street, and W. Burleigh Street within the study area. The sidewalks and bike lanes allow residents to move about the community without an automobile and walk or bike to nearby places of employment and transit stops. The bridges over I-43 link residential and commercial areas adjacent to the freeway and provide pedestrian and transit cross access over the freeway.

Milwaukee County Transit System (MCTS) provides local transit service in the study area. An estimated 13.2 percent of workers use transit to commute to work and 31.8 percent of households in the study area do not have access to a vehicle (U.S. Census Bureau, ACS 2020 5-Year Estimates). Local routes include Route 57 along W. Walnut Street, Route 21 along W. North Avenue, Route 22 along W. Center Street, Route 66 along W.

Burleigh Street, Route 19 along Dr. MLK Jr. Drive and Atkinson Avenue, Route 12 along N. 12th Street and Teutonia Avenue, and Routes 80 and 34 along N. 7th and N. 8th streets. Also, the MCTS Blue Line, which travels from Downtown Milwaukee to the City's far-northwest side via Fond du Lac Avenue, has a stop within the project area on N. 17th Street. The MCTS Red Line provides limited stop service between Wauwatosa and UW-Milwaukee via Capitol Drive with stops near the project area. Transit routes are shown on **Appendix B-1**.

Freeway flyer bus routes have traditionally operated on I-43 through the project area including Route 49- Brown Deer-Bayshore Flyer, and Route 143- Ozaukee County Express. These routes generally serve commuters traveling between downtown Milwaukee and the Northshore suburban communities, but also make limited stops within the study area. Since the project began, MCTS has suspended operations of Route 49. Route suspension is in no way tied to this project.

3. Identify and discuss effects of the proposed action on the existing businesses and the economic development potential in the area:

The proposed action is not expected to impact businesses as it will not acquire right of way from businesses and it will not result in business relocations. The proposed action will improve traffic operations along the freeway and make it safer to enter and exit the interchange ramps, while maintaining all existing access points and cross access over the freeway.

During construction, travelers may experience temporary traffic inconveniences from short-term ramp and lane closures along the mainline and closures at bridges planned for rehabilitation work. This may result in periodic traffic delays and less direct travel for some business trips in the project area including patrons who use transit. A minimum of two lanes of traffic in each direction will be maintained during daytime construction along the freeway. Reduced traffic lanes and freeway closures will be required during nighttime work. If detour routes are needed for temporary, short-term ramp closures or nighttime freeway closures, detour signs will be posted as needed along local state routes. Traffic along detour routes may increase temporarily during construction but access to businesses along detour routes will be maintained. Coordination with MCTS related to potential bus route detours was initiated in September 2021, MCTS did not identify concerns during discussion. WisDOT will determine required closures during final design in coordination with the city of Milwaukee and Milwaukee County.

During construction, bridges at Brown and Wright streets will be closed to traffic for about two months for overlay work and the bridges at Locust and Burleigh streets will be closed to traffic for approximately four months during deck replacement work. Nighttime bridge closures for up to two months are also expected for bridge painting work at Brown, Wright, Center, Locust and Burleigh streets. During bridge closures, vehicles and pedestrians will need to use adjacent east-west streets to travel over the freeway. Also, buses will need to be rerouted around the bridge closures and nearby bus stops may need to be temporarily relocated. No bus routes will be discontinued during construction.

WisDOT will stage bridge construction to avoid closing consecutive bridges to minimize indirect travel patterns in the project area during construction. WisDOT will communicate bridge closures to the public prior to construction in accordance with the project's public involvement plan. WisDOT will also use signage in advance of the bridge work to notify travelers of the upcoming bridge closure. WisDOT will coordinate with transit agencies prior to construction to allow adequate time to prepare for potential bus route detours and stop location changes.

4. Identify and discuss any issues or concerns related to business and economics identified by business people, elected officials, community members, or other stakeholders that they believe are important or controversial.

None identified

Issues identified, describe:

At a meeting with Alderwoman Milele Coggs on November 20, 2019, she expressed concern about early project bridge concepts for North Avenue and Halyard Street that would impact private lands identified for future redevelopment as part of the Bronzeville redevelopment area. The preferred alternative for the project, Build Alternative 2 Rehabilitation, does not include those bridge actions and will not impact private land.

At a meeting with the 5 Points Neighborhood Association on October 26, 2019, members of the association asked about job opportunities for the local community during construction. WisDOT will evaluate the potential use of the Transportation Alliance for New Solutions (TRANs) program that seeks to fulfill entry-level laborer positions for construction contractors for this project. WisDOT will also utilize Disadvantage Business Enterprise (DBE) goals for the project to increase participation of DBE firms.

WisDOT also implements measures to ensure nondiscrimination in the award and administration of the contracts. These efforts include:

- A Southeast Region workforce/labor committee. Meets once a month, addressing the shortage of people going into these construction jobs even though they are high paying jobs.
- Using federal aid on engaging community to help support the agencies/groups who are getting people ready for the jobs

WisDOT will have a dedicated requirement for DBE participation which would be applicable to this project.

- 5. Identify the estimated number of businesses and jobs that would be created or displaced because of the project. If no businesses will be displaced, Items 7 through 12 do not need to be addressed or included in the environmental document. If no jobs will be displaced, Item 6 does not need to be answered either.**

No business or jobs will be displaced by the project.

Business/Job Type*	Businesses			Jobs	
	Created	Displaced	Value	Created	Displaced
<input type="checkbox"/> Temp <input type="checkbox"/> Perm Retail	0	0	0	0	0
<input type="checkbox"/> Temp <input type="checkbox"/> Perm Service	0	0	0	0	0
<input type="checkbox"/> Temp <input type="checkbox"/> Perm Wholesale	0	0	0	0	0
<input type="checkbox"/> Temp <input type="checkbox"/> Perm Manufacturing	0	0	0	0	0
<input type="checkbox"/> Temp <input type="checkbox"/> Perm Project Design and Construction	0	0	0	0	0
Other ()					
*Indicate if these are temporary or permanent					

- 6. Are any owners or employees of created or displaced businesses low-income or minority? If yes, these answers must be consistent with the information on the Environmental Justice (EJ) Factor Sheet.**

- No
 Yes, those being displaced constitute an environmental justice population (low-income population or minority population), briefly describe:

- 7. Is a Conceptual Stage Plan (CSP) attached to this document?**

- Yes, describe where the document it can be found:
 No, it is in the project file

- 8. Describe the business relocation potential in the area:**

- A. Total number of available business buildings in the area:
 B. Number of available and comparable business buildings by type and price (include business buildings in price ranges comparable to those being dislocated, if any)
 Number of available and comparable type business buildings in the price range of:
 Number of available and comparable type business buildings in the price range of:

Number of available and comparable type business buildings in the price range of:

9. Identify all sources of information used to obtain data in item 8:

<input type="checkbox"/> WisDOT Real Estate Conceptual Stage Plan	<input type="checkbox"/> Multiple Listing Service (MLS)
<input type="checkbox"/> Newspaper listing(s) – List:	<input type="checkbox"/> Other - Identify:

10. Describe how relocation assistance will be provided in compliance with the WisDOT Real Estate Program Manual or FHWA regulation 49 CFR Part 24. Check all that apply:

- Business acquisitions and relocations will be completed in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), as amended. In addition to providing for payment of “Just Compensation” for property acquired, additional benefits are available to eligible displaced persons forced to relocate from their business. Some available benefits include relocation advisory services, reimbursement of moving expenses, replacement of business payments. In compliance with State law, no person would be displaced unless a comparable replacement business would be provided.

Compensation is available to all displaced persons without discrimination. Before initiating property acquisition activities, property owners will be contacted and given an explanation of the details of the acquisition process and Wisconsin’s Eminent Domain Law under Section 32.05, Wisconsin Statutes. Any property to be acquired will be inspected by one or more professional appraisers. The property owner will be invited to accompany the appraiser during the inspection to ensure the appraiser is informed of every aspect of the property. Property owners will be given the opportunity to obtain an appraisal by a qualified appraiser that will be considered by WisDOT in establishing just compensation. Reasonable cost of an owner’s appraisal will be reimbursed to the owner if received within 60 days of initiation of negotiations. Based on the appraisal(s) made, the value of the property will be determined, and that amount offered to the owner.

- Other relocation assistance requirements, not identified above, describe:

11. Identify any difficulties relocating a business displaced by the proposed action and describe any special services needed to remedy identified unusual conditions:

12. Briefly describe any additional measures which will be used to minimize adverse effects or provide benefits to those relocated. Also discuss accommodations made to minimize adverse effects to businesses that may be affected by the project, but not relocated:

COMMUNITY Factor Sheet

06-11-2019

Wisconsin Department of Transportation

Alternative: Build Alternative 2 Rehabilitation	Preferred: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None identified	Project ID: 1228-22-00
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1. Give a brief description of the community, neighborhood or area affected by the proposed alternative:

Name of community/neighborhood/area: Milwaukee study area

Is the community an incorporated municipality or part of an incorporated municipality?

Yes No

Name of incorporated municipality(ies), if applicable: City of Milwaukee

Total population (include year and source): 20,559 in study area and 592,649 for city of Milwaukee (U.S. Census Bureau, American Community Survey, 2020 5-Year Estimates)

Demographic characteristics:

The study area for this factor sheet is a half-mile around the project corridor in the city of Milwaukee. The study area contains predominately residential uses that are present on the east and west sides of I-43 and include portions of the Arlington Heights, Williamsburg Heights, Harambee, Borchert Field, North Division, Halyard Park, Hillside, and Triangle North neighborhoods. Residential areas contain primarily single-family and duplex homes with some small apartment buildings. The Harambee Neighborhood Improvement District (NID) #7 is adjacent to the east side of the project corridor and extends from Center Street to Capitol Drive. NID #7 provides home repair resources to homeowners within its boundaries to stabilize property values and home ownership. Several community facilities are located within the study area including schools, food pantries, places of worship, parks, police and fire stations, childcare facilities, medical facilities, a library, and a correctional center for women. Community resources are shown on the maps in **Appendix C**.

The population of the study area is 20,559. The study area’s population is 93.4 percent minority, with Blacks or African Americans (86.5 percent) representing the largest minority group. An estimated 12.1 percent of the population in the study area is 65 years or older. The median incomes for the block groups in the study area range from \$13,869 to \$92,526. The poverty rate in the study area is high compared to the city of Milwaukee and Milwaukee County, with 37.2 percent of individuals in the study area determined to be in poverty. The table below summarizes the demographic data for the study area and provides data for the city of Milwaukee and Milwaukee County for comparison purposes.

Milwaukee Study Area - Demographic Summary

Demographics	Study Area ¹	City of Milwaukee	Milwaukee County
Population	20,559	592,649	949,180
Minority Population	93.4%	58.0%	42.9%
Black or African American Population	86.5%	38.8%	26.4%
65 years and Older Population	12.1%	10.5%	13.6%
Median Household Income	\$13,869 to \$92,526	\$43,125	\$52,260
Poverty Rate (individual)	37.2%	21.0%	18.3%
Public Transportation (Means of Transportation to Work, 16+)	13.2%	6.7%	4.5%
No Vehicle Available (household)	31.8%	17.2%	13.2%

Source: American Community Survey, 2020 5-year Estimates

¹ Census data was collected for census block groups within a half-mile of the project corridor. Since some block groups extend beyond the half-mile buffer, a percentage was then applied to each dataset based on the percentage of the block group area within the half-mile study area.

2. Are there groups or individuals in the community, neighborhood or area that use or depend on transit, bicycle or pedestrian facilities?

None identified

Groups or individuals identified – Discuss:

Within the study area, 13.2 percent of individuals 16 years or older commute to work via public transportation and another 2.3 percent walk to get to work. Also, 31.8 percent of households within the study area do not have a vehicle available.

3. Identify and discuss existing modes of transportation and their importance in the community, neighborhood or area:

Personal vehicles are a dominant mode of transportation for residents. Within the study area, 82.6 percent of individuals 16 years or older drive to work, of which 68.9 percent drive alone.

Most of the streets in the study area have sidewalks. On-street bike lanes are present along N. 14th Street, N. 12th Street, N. 6th Street, W. Walnut Street, W. North Avenue, W. Center Street, and W. Burleigh Street within the study area. The sidewalks and bike lanes allow residents to move about the community without an automobile, access transit stops and walk or bike to nearby schools, parks and businesses and other community facilities. The bridges over I-43 connect the neighborhoods adjacent to the freeway and provide pedestrian access over the freeway.

As noted in Question 2 above, residents in the study area use local transit routes for access to employment, goods, services, education, and other destinations. In the study area, 13.2 percent of individuals 16 year or older use public transportation to commute to work compared to the citywide share of 6.7 percent. In addition, 31.8 percent of households in the study area do not have access to a vehicle compared to 17.2 percent citywide.

Milwaukee County Transit System (MCTS) provides local transit service in the study area. Local routes include Route 57 along W. Walnut Street, Route 21 along W. North Avenue, Route 22 along W. Center Street, Route 66 along W. Burleigh Street, Route 19 along Dr. MLK Jr. Drive and Atkinson Avenue, Route 12 along N. 12th Street and Teutonia Avenue, and Routes 80 and 34 along N. 7th and N. 8th streets. Also, the MCTS Blue Line, which travels from Downtown Milwaukee to the city's far-northwest side via Fond du Lac Avenue, has a stop within the project area on N. 17th Street. The MCTS Red Line provides limited stop service between Wauwatosa and UW-Milwaukee via Capitol Drive with stops near the project area. Current MCTS routes are shown on the maps in **Appendix B-1**.

Freeway flyer bus routes have traditionally operated on I-43 through the project area including Route 49- Brown Deer-Bayshore Flyer, and Route 143- Ozaukee County Express. These routes generally serve commuters traveling between downtown Milwaukee and the Northshore suburban communities, but also make limited stops within the study area. Since the project began, MCTS has suspended operations of Route 49. Route suspension is in no way tied to this project.

4. Identify and discuss the probable changes that could result from the proposed alternative to the existing modes of transportation and their function within the community, neighborhood or area:

During construction, travelers may experience temporary traffic inconveniences from short-term ramp and lane closures along the mainline and lane closures at bridges planned for rehabilitation work. This may result in periodic traffic delays and less direct travel for some trips in the project area including local residents that rely on transit. A minimum of two lanes of traffic in each direction will be maintained during daytime construction along the freeway. Reduced traffic lanes and freeway closures will be required during nighttime work. If detour routes are needed for temporary, short-term ramp closures or nighttime freeway closures, detour signs will be posted as needed along local state routes. Traffic along detour routes may increase temporarily during

construction but access to residential properties and community resources along detour routes will be maintained. WisDOT will determine required closures during final design in coordination with the city of Milwaukee and Milwaukee County.

During construction, bridges at Brown and Wright streets will be closed to traffic for about two months for overlay work and the bridges at Locust and Burleigh streets will be closed to traffic for approximately four months during deck replacement work. Nighttime bridge closures for up to two months are also expected for bridge painting work at Brown, Wright, Center, Locust and Burleigh streets. During bridge closures, vehicles, bicyclists, and pedestrians will need to use adjacent east-west streets to travel over the freeway. Also, buses will need to be rerouted around the bridge closures and nearby bus stops may need to be temporarily relocated. Coordination with MCTS related to potential bus route detours was initiated in September 2021, MCTS did not identify concerns during discussion. The detours may cause delays in transit service. No bus routes will be discontinued during construction.

WisDOT will stage bridge construction to avoid closing consecutive bridges to minimize indirect travel patterns in the project area during construction. WisDOT will communicate bridge closures to the public prior to construction in accordance with the project's public involvement plan. WisDOT will also use signage in advance of the bridge work to notify travelers of the upcoming bridge closure. WisDOT will coordinate with transit agencies prior to construction to allow adequate time to prepare for potential bus route detours and stop location changes.

The two pedestrian bridges over I-43 in the project area will remain open during construction since no improvements are planned as part of this project.

Following construction, all existing vehicular, pedestrian and transit access to, from and over the freeway will be restored and all modes of transportation will operate normally within the community.

5. Address any changes to emergency services or other public services during and after construction of the proposed alternative:

During construction, at least two lanes of traffic along I-43 in the project area would be maintained and remain open to emergency services during daytime construction, and reduced traffic lanes and freeway closures will be required during nighttime work. The reduction of capacity along the freeway during construction may increase congestion and cause delays to emergency vehicles that utilize the freeway in the project area. Emergency vehicles may also be affected by ramp and freeway closures during construction and will need to utilize alternate routes.

As discussed in #4 above, planned bridge rehabilitation work will close overpass access on some bridges for two to four months, and nighttime closures are expected for up to two months for bridge painting. Affected bridges include Brown, Wright, Center, Locust, and Burleigh streets. During bridge closures, emergency services will need to use adjacent alternate routes. WisDOT will stage bridge construction to avoid closing consecutive bridges to minimize indirect travel patterns in the project area during construction.

WisDOT will coordinate with emergency services prior to and during construction to provide advanced notice for any closures.

Following construction, emergency services will be able to operate normally within the community and may benefit from improved operations along the freeway.

6. Describe any physical or access changes that would result:

The proposed work, which would rehabilitate pavement and bridges and add auxiliary lanes between interchanges, would not result in substantial physical changes to the freeway's footprint. The project would be constructed within the existing right of way and would not require the acquisition of property, nor would it require relocations. All existing interchange access points and east-west cross streets (overpasses) would remain following construction.

During construction, noise will be generated by construction equipment used to rehabilitate the freeway, freeway ramps and bridges. Typical construction equipment would include dump trucks, graders, cranes, bulldozers, and pavement construction equipment. Adverse effects related to construction noise are anticipated to be of a localized, temporary, and transient nature. WisDOT construction project manager will implement Standard Specifications 107.8(6) and 108.7.1 regarding construction noise and hours of operation. See additional detail on the Construction Sound Factor Sheet. Construction may also generate dust, which will be managed by dust control measures in accordance with WisDOT Facilities Development Manual 10-10-41.

During construction, travelers (vehicles, pedestrians, and bicyclists) may experience temporary traffic inconveniences from short-term ramp and lane closures along the mainline and lane closures at bridges planned for rehabilitation work as described in #4 above.

7. Indicate whether a community or neighborhood facility (such as parks, recreation facilities, community centers, libraries, food pantries, DMV offices, clinics, hospitals, schools, child care centers, churches, etc.) could be affected by the proposed alternative and indicate what effect(s) this could have on the community or neighborhood:

As shown on the maps in **Appendix C**, several community facilities are located within the Milwaukee study area including schools, food pantries, places of worship, parks, police and fire stations, childcare facilities, medical facilities, a library, and a correctional center for women. No community or neighborhood facilities within the study area will be directly affected by the project as it will be constructed within the existing right of way and all existing interchange access points and cross street access (overpasses) will remain following construction.

During construction, those who access community facilities may experience temporary travel inconveniences as discussed in #4 above. Following construction, all existing vehicular, pedestrian and transit access to, from and over the freeway will be restored and all modes of transportation will operate normally within the community.

8. Identify and discuss community, neighborhood or area issues that residents, local units of government or community stakeholders have indicated to be important or controversial:

At a meeting with the city of Milwaukee Department of Public Works staff on October 23, 2019, city representatives stated community engagement and local and state official coordination is important for the project. They also discussed concerns about potential community impacts from bridge concepts for North Avenue and Halyard Street that are no longer being considered for the project.

At a meeting with the 5 Points Neighborhood Association on October 26, 2019, members of the association asked questions regarding WisDOT's policy and how the department is addressing roadway needs, job opportunities for the local community during construction and if transit services would be expanded throughout the corridor. Association members also expressed concerns about people experiencing homelessness in the corridor and asked if homes and businesses would be relocated because of the project.

At a meeting with Milwaukee County staff on November 19, 2019, county representatives discussed concerns about bridge options that were previously considered for the Halyard Street and North Avenue bridges. County Staff raised concerns about bus stop locations, increased distances along pedestrian routes to the nearby park, and pedestrian safety crossing the intersection at 7th Street and North Avenue. The preferred alternative for the

project, Build Alternative 2 Rehabilitation, does not include work on the Halyard Street and North Avenue bridges and will not impact pedestrian mobility at North Avenue and Halyard Street.

At a meeting with Alderwoman Milele Coggs on November 20, 2019, she expressed concern about bridge concepts for North Avenue and Halyard Street that would impact private lands identified for future redevelopment as part of the Bronzeville redevelopment area. The preferred alternative for the project, Build Alternative 2 Rehabilitation, does not include those bridge actions and will not impact private land.

Comments received during the March 10, 2022 public involvement meeting and ongoing coordination with neighborhood residents reflect concerns about noise and air quality impacts as well as overall impacts to neighborhood quality of life as a result of the original freeway construction and proximity to freeway traffic.

9. List any community or neighborhood design considerations and potential mitigation measures identified during public involvement or agency coordination (as well as local government coordination) and indicate whether they will be included in the proposed alternative:

WisDOT's design project manager will coordinate with local and state officials as the design for the project progresses to communicate design plans and obtain input. WisDOT's design project manager will also oversee public engagement activities along the corridor in accordance with the project's public involvement plan.

WisDOT will stage bridge construction to avoid closing consecutive bridges to minimize indirect travel patterns in the project area during construction. WisDOT will communicate bridge closures to the public prior to construction in accordance with the project's public involvement plan. WisDOT will also use signage in advance of the bridge work to notify travelers of the upcoming bridge closure.

WisDOT's design project manager and WisDOT's construction project manager will coordinate with transit agencies prior to and during construction to communicate construction schedules and determine alternate bus stop locations and potential changes to bus routes if needed.

WisDOT's construction project manager will coordinate with the city of Milwaukee and Milwaukee County to communicate construction schedules, inform them of lane, ramp and bridge closures and potential detour routes. WisDOT's construction project manager will coordinate with local governments to adjust signal timings, as needed, along detour routes.

WisDOT's construction project manager will coordinate with emergency services prior to and during construction to provide advanced notice for any freeway, ramp, or bridge closures.

WisDOT's construction project manager will apply dust control measures during construction to reduce dust brought about by excavation and wind erosion of any exposed earth surfaces in accordance with WisDOT FDM 10-10-41.

The mitigation for the Project is appropriate for the potential impacts associated with the proposed action and the pavement and bridge rehabilitation improvements do not rise to the level of requiring an indirect and cumulative analysis of past, present, or reasonably foreseeable actions.

10. Describe any additional measures that will be used to minimize impacts or provide benefits to the community, neighborhood or area:

Overall, the project minimizes impacts since it rehabilitates the freeway within the existing right of way, while maintaining all existing interchange access points and east-west cross access at bridge overpasses following construction. The project will rehabilitate infrastructure and maintain reliable access to employment, educational facilities, recreational amenities, social services, and other community resources.

ENVIRONMENTAL JUSTICE Factor Sheet

06-11-2019

Wisconsin Department of Transportation

Alternative: Build Alternative 2 Rehabilitation	Preferred: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None identified	Project ID: 1228-22-00
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1. Identify and give a brief description of minority populations and low-income populations that may be affected by the alternative. For each population identified, include the pertinent demographic characteristics and relative size. If the minority populations identified are also low-income populations, indicate so in the description.

The Census Bureau's current demographic data, the 2020 American Community Survey (ACS) 5-Year Estimates, were used to describe minority and low-income populations within a half-mile study area around the project corridor and Milwaukee County for comparison. Since the census block groups have irregular shapes that extend well beyond the half-mile study area in some cases, a percentage was applied to each block group based on the portion of the block group within the study area.

Population Groups

- Black (origins in any of the black racial groups of Africa)
Describe: Blacks make up 86.5 percent of the population in the study area and are the largest minority group in the study area. The percent of Black populations in the study area is higher than the Milwaukee County (26.4 percent)
- Hispanic or Latino (of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race)
Describe: The Hispanic or Latino population makes up 1.3 percent of the study area population. The percentage is well lower than Milwaukee County (15.4 percent)
- Asian American (origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent)
Describe: Asian Americans make up 1.3 percent of the study area population. The percentage is lower than Milwaukee County (4.4 percent).
- American Indian and Alaska Natives (origins in any of the original people of North America or South America (including Central America), and who maintain cultural identification through tribal affiliation or community recognition)
Describe: American Indians and Alaska Natives make up 0.3 percent of the study area population. The percentage is slightly lower than Milwaukee County (0.5 percent).
- Native Hawaiian and Other Pacific Islander (origins in any of the original peoples of Hawaii, Guam, Samoa or other Pacific Islands)
Describe: Native Hawaiians and other Pacific Islanders do not reside in the project area per the ACS data. Milwaukee County population consists of less than one tenth of one percent Native Hawaiian and Other Pacific Islander.
- 2 or more races including any of the above categories, as defined by U.S. Census
Describe: Two or more races make up 3.9 percent of the population in the study area. The percentage of two or more races is lower in Milwaukee County (5.1 percent).
- Minority and low-income
Describe: Of the total population (20,559) in the study area, 19,207, or 93.4 percent, are considered minority. This is a higher minority percentage than Milwaukee County (42.9 percent). Blacks or African Americans are the largest minority group and make up 86.5 percent of the population within a half-mile of the project corridor. The median household incomes for the census block groups within the study area range from \$13,869 to \$92,526. Twelve of the census block groups within the study area have median household incomes below the 2020 Department of Health and Human Services poverty guideline of \$26,200 for a family of four. Also, the poverty rate in the study area is high compared to Milwaukee County (18.3 percent), with 37.2 percent of individuals in the study area in poverty. Based on

the census data review, a high concentration of minority and low-income populations are in the study area.

Low-income and non-minority

Describe:

2. Describe how information on the alternative was communicated to minority populations and low-income populations:

WisDOT mailed newsletters to property owners and residents within 500 feet of the corridor, business groups, neighborhood groups, and major stakeholders providing project information and inviting them to a public involvement meeting held on September 15, 2021. The newsletter also provided Project contact information and instructions on how to find more information and submit comments.

WisDOT also emailed the newsletter the Project email list, including local community organizations with an offer to meet about the project. Community organizations contacted included: Harambee Neighborhood Improvement District, Riverworks Business Improvement District, King Drive Business Improvement District, Halyard Park Neighborhood, Walnut Way Neighborhood and Take Root Milwaukee.

WisDOT issued a press release and display ads announcing the PIM in local community newspapers, the Milwaukee Community Journal, and the Milwaukee Times, approximately one to two weeks prior to the PIM.

After the September 2021 PIM, WisDOT updated the project scope and hosted a second virtual PIM on March 10, 2022. WisDOT mailed a postcard invitation to the same recipients described above for the September PIM, as well as others who signed up for additional project notifications. Display ads ran in the Milwaukee Community Journal and the Milwaukee Times approximately one to two weeks prior to the PIM. The online meeting was made available via a call-in number, Microsoft Teams, and broadcasted on YouTube Live to help give more opportunity for public feedback.

WisDOT conducted the following in-person and virtual small group, stakeholders and community meetings to present the project alternatives and obtain feedback

- Alderwoman Milele Coggs on October 8, 2019 and November 20, 2019
- 5 Points Neighborhood Association (5PNA) on September 25, 2021
- Bronzeville Advisory Committee on September 20, 2021
- District 5 National Night Out on August 30, 2021
- Alderman Russell Stamper, II on August 19, 2021 and March 4, 2021
- Milwaukee County Supervisor on August 17, 2021
- Milwaukee County Supervisor Priscilla Coggs-Jones and Milwaukee County DPW on August 14, 2021
- Alderman Ashanti Hamilton on March 4, 2021
- Milwaukee Department of City Development on January 15, 2020
- Milwaukee County Department of Transportation on November 19, 2019
- City of Milwaukee Department of Public Works on October 24, 2019
- 5PNA on October 26, 2019.
- Halyard Park Neighborhood on March 22, 2022

In addition to meetings, WisDOT hosts a project Webpage that has information about the project including the project location and description, schedule, and purpose and need. The Webpage also has WisDOT contact information and is a repository for any future public meeting materials (exhibits) and environmental documents, so these items are available to the community.

Ninety-three percent of the population within a half mile of the project corridor are considered a minority, this is a higher minority percentage than Milwaukee County (42.9 percent). Blacks or African Americans are the largest minority group within a half mile and make up 86.5 percent of the population. The median household

incomes for the census block groups within the study area range from \$13,869 to \$92,526. Twelve of the census block groups within the study area have median household incomes below the 2020 Department of Health and Human Services poverty guideline of \$26,200 for a family of four. Since newsletters were distributed to residents within 500 feet of the corridor, business groups neighborhood groups and major stakeholders, it can be concluded they were also distributed to people considered minorities and low-income populations as well as groups that represent them.

3. Some methods that could be used to communicate project information to minority populations and low-income populations include:

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Public involvement meetings (PIMs) | <input type="checkbox"/> Brochures | <input type="checkbox"/> Public service announcements |
| <input checked="" type="checkbox"/> Newsletters | <input checked="" type="checkbox"/> Notices | <input checked="" type="checkbox"/> Key persons |
| <input type="checkbox"/> Utility bill inserts | <input checked="" type="checkbox"/> Emails | <input checked="" type="checkbox"/> Direct mailings |
| <input type="checkbox"/> Advertisements | <input checked="" type="checkbox"/> Others, identify: Project Web page | |

4. How was input from minority populations or low-income populations obtained? Check all that apply:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Public Information Meeting | <input checked="" type="checkbox"/> Focused small group information meetings |
| <input type="checkbox"/> Door-to-door interviews | <input type="checkbox"/> Focused workshop/conferences |
| <input type="checkbox"/> Focus group research | <input type="checkbox"/> Mailed surveys |
| <input type="checkbox"/> Public hearings | <input checked="" type="checkbox"/> Key person interviews |

Other, identify:

4. If there is a project advisory committee, identify which minority populations or low-income populations are represented and by whom.

- Yes, there was a project advisory committee. Indicate if any of the individuals participating self-identify as representing a minority population or low-income population. Describe:
- No project advisory committee was formed, explain: A project advisory committee was not formed for this project because the project is a rehabilitation project that will replace the freeway in generally the same configuration and along generally the same alignment.

5. Will there be potential impacts of any kind to minority populations or low-income populations identified above?

- No
- Yes, describe: Given the prevalence of minority and low-income populations adjacent to the project corridor, minority and low-income populations are expected to be affected by project impacts including traffic noise impacts and impacts associated with construction activities. These impacts are discussed below.

Short-Term Construction Impacts (Temporary Noise, Dust and Detours)

Minority and low-income populations will be exposed to temporary construction-related inconveniences such as construction noise and dust, travel indirection from ramp and bridge closures and increased congestion along traffic detours.

During construction, minority and low-income populations may be impacted by noise generated from construction equipment used to rehabilitate the freeway, freeway ramps and bridges. Typical construction equipment would include dump trucks, graders, cranes, bulldozers, and pavement construction equipment. Adverse effects related to construction noise are anticipated to be of a localized, temporary, and transient nature. See additional detail on the Construction Sound Factor Sheet. Construction may also generate dust, which will be managed by dust control measures in accordance with WisDOT Facilities Development Manual 10-10-41.

During construction, minority and low-income populations may experience temporary traffic inconveniences from short-term ramp and lane closures along the mainline and lane closures at bridges planned for rehabilitation work. This may result in periodic traffic delays and less direct travel for some trips in the project

area including residents and workers that use transit. Traffic along detour routes may increase temporarily during construction but access to property along detour routes will be maintained. Freeway flyer bus routes along I-43 may experience delays in the construction zone along the mainline.

During construction, bridges at Brown and Wright streets will be closed to traffic for about two months and the bridges at Locust and Burleigh streets will be closed to traffic for approximately four months. Nighttime bridge closures for up to two months are also expected for bridge painting work at Brown, Wright, Center, Locust and Burleigh streets. During bridge closures, minority and low-income populations may be impacted by reduced east-west cross access over the freeway, and vehicles, bicyclists and pedestrians will need to use adjacent east-west streets to travel over the freeway. Also, buses will need to be rerouted around the bridge closures and nearby bus stops may need to be temporarily relocated, which may cause delays to transit service. No bus routes will be discontinued during construction. See additional detail in the Community and Business Factor Sheets. Alternative crossing locations are located approximately 0.25 – 0.35 miles north or south of each bridge listed in the paragraph above respectively. Closures may add some indirection to a minority or low-income person's trip, whether it be via personal vehicle, transit or other mode of travel but closures are not anticipated to greatly disrupt daily activities or disconnect people from community activities or needed services during the closures.

6. Have issues been identified concerning effects on minority populations or low-income populations related to the alternative been identified?

- No issues or concerns related to effects have been raised.
- Yes, issues or concerns related to effects have been identified. Describe what the issues or concerns are, who identified the issues or concerns (for example, identify if the issues were raised by the project team, through public involvement, through interagency coordination or by other means), and how the issues or concerns will be addressed:

WisDOT met with Alderwoman Milele Coggs on November 20, 2019, to present project alternatives. She expressed concern about bridge concepts for North Avenue and Halyard Street that would impact private lands identified for future redevelopment as part of the Bronzeville redevelopment area. Milwaukee County also expressed concerns about these bridge concepts at a meeting on November 19, 2019, raising concerns about bus stop locations, increased distances along pedestrian routes to the nearby park, and pedestrian safety crossing the intersection at 7th Street and North Avenue. The City of Milwaukee, at a meeting with WisDOT on October 23, 2019, brought up concerns about potential community impacts from bridge concepts for North Avenue and Halyard Street. The alternatives considered for the project, do not include the proposed bridge actions at North Avenue and Halyard Street and will not impact private land. Alternatives that included concepts that would modify the bridges at North Avenue and Halyard Street were removed from the project prior to the start of the NEPA process due to concerns related to neighborhood impacts expressed by Alderwoman Coggs and concerns expressed by the city of Milwaukee. The existing conditions of both the North Avenue and Halyard Street bridges will be addressed with future projects. The future projects currently have a spring 2027 PS&E date.

At the 5 Points Neighborhood Association (5PNA) meeting on October 26, 2019, the following topics were discussed regarding the project:

Note: At the October 26, 2019, 5 Points Neighborhood Association meeting, Build Alternative 3 was discussed in detail and implied that the alternative would likely be selected as the preferred alternative. Build Alternative 3 includes the addition of a merge transition lane along the I-43 mainline in each direction from south of Brown Street to Locust Street. In late 2021, a design challenge was realized that required the elimination of the merge transition from the project. As a result, Alternative 2 was identified as the preferred alternative during the March 10, 2022 PIM, and is identified as such in this Environmental Report.

- North Avenue Curve: Meeting participants asked if the curve in the freeway at North Avenue would be straightened out as part of the project. The North Avenue curve is not being straightened out as part of

this project. WisDOT evaluated the curve and determined the addition of a fourth lane in this area would adequately address traffic operations and improve safety without straightening the curve.

- **East-West Access Changes:** Meeting participants asked if the project would change east-west access over the freeway. As discussed in question 5 above, bridge closures over the freeway will only occur for two to four months during construction with additional nighttime closures possible for up to two months for painting work. During bridge closures, all vehicles, pedestrians, and bicyclist will need to use adjacent east-west access over the freeway, adjacent freeway bridges are located approximately 0.25 – 0.35 miles north and south respectively. WisDOT will stage bridge construction to avoid closing consecutive bridges during construction. Following construction, all east-west cross access will be restored.
- **Property Impacts:** Attendees asked if any homes or businesses would be acquired for the project. The project will not acquire homes or businesses because the project will be constructed within the existing transportation right of way.
- **Homelessness:** Meeting participants expressed concerns about people experiencing homelessness in the area and if WisDOT is working with other community resources for occupants living under the Marquette Interchange. WisDOT coordinated with the City of Milwaukee Police and several shelters in the Milwaukee area to find housing for people experiencing homelessness near the Marquette Interchange to allow the scheduled maintenance work to be conducted. The Marquette Interchange is located south of this project's termini, outside the immediate project area.
- **Transit Accommodations:** Meeting participants asked if transit services would be expanded as part of the project and if shoulder-running transit would be available along I-43. This project does not involve expansion of transit services as transit services are funded under different programs, which are led by local transit agencies. Shoulder-running transit is not part of the Project; however, the project will improve and widen shoulders along the freeway, which may allow future bus-on-shoulder transit operations in the future. The project will improve operations along the freeway, which will benefit freeway flyer buses if operations are resumed. It will also rehabilitate existing bridges over the freeway that carry existing local transit routes and provide pedestrian and bicycle access over the freeway.
- **Noise Barriers:** Meeting participants asked if noise barriers are being considered for the project and if the public will have a say in barriers. Since the meeting, the project scope was revised to mill and overlay freeway pavement, rehabilitate bridges, and construct auxiliary lanes between freeway entrance and exit ramps. The environmental document discusses anticipated impacts and mitigation measures related to the project scope, which is pavement and bridge rehabilitation. Per WisDOT's written noise policy, a noise analysis is required when a project is considered Type I as described in the WisDOT Facilities Development Manual, Chapter 23 -10 (FDM 23-10). The project is not a Type I project..
- **Construction Jobs:** Meeting participants asked if job opportunities will be available for the local community during construction. WisDOT participates in the Transportation Alliance for New Solutions (TrANS) program to help fill entry-level laborer positions for construction contractors. It is a public-private collaboration that prepares Wisconsin's workforce with the skills needed to contribute to the transportation construction industry as laborers and apprentices and involves those who have been underrepresented historically in the industry including minorities. WisDOT will evaluate the potential use of this program for this project. Also, WisDOT will utilize Disadvantage Business Enterprise (DBE) goals for the project to increase participation of DBE firms.

Comments received during the March 10, 2022 public involvement meeting and ongoing coordination with neighborhood residents reflect concerns about noise and air quality impacts, vibration impacts as well as overall impacts to neighborhood quality of life as a result of the original freeway construction and proximity to freeway traffic.

WisDOT considers conducting vibration monitoring when a private residence or building is within 50 feet of roadway construction activities; or within a 100-foot minimum distance for pile driving activities. Because there will be no roadway construction activities within 50 feet of a private residence or building and there will be no pile driving activities associated with the project, vibration monitoring will not be conducted. Additionally, the reconstruction of I-43 will result in a smoother driving surface thus eliminating uneven pavement surfaces which could cause loads on trucks to bounce potentially resulting in airborne and ground-borne vibrations.

If a resident or business owner does have a concern regarding vibration damage, they will be able to contact the project construction public involvement contact person (to be assigned for the upcoming construction phase).

Any claims of construction-related damage will be forwarded to the project contractor for consideration by their insurance company.

The environmental document discusses anticipated impacts and mitigation measures related to the project scope, which is pavement and bridge rehabilitation. Per WisDOT's written noise policy, a noise analysis is required when a project is considered Type I as described in the WisDOT Facilities Development Manual, Chapter 23 -10 (FDM 23-10). The Project does not meet those criteria; therefore, a noise analysis has not been conducted. The Project is included in SEWRPC's air quality conformity analysis of all transportation projects in southeast Wisconsin, which indicates the project will not adversely affect air quality.

The mitigation for the Project is appropriate for the potential impacts associated with the proposed action do not rise to the level of requiring an indirect and cumulative analysis of past, present, or reasonably foreseeable actions.

At the Halyard Park Neighborhood meeting on March 22, 2022, the following topics were discussed regarding the project:

- Questions about litter and landscaping in the corridor: WisDOT described anticipated clearing, grubbing, new bridge paint and new fencing associated with the project.
- Questions about line-of-sight issues at the intersection of 7th and Garfield: WisDOT will review questions regarding line-of-sight at the 7th Street/Garfield Avenue intersection in coordination with city of Milwaukee and/or Milwaukee County.

7. Would this alternative result in disproportionately high and adverse effects on minority populations or low-income populations? If the alternative will not result in disproportionately high and adverse effects, as indicated by checking the first or second box below, the remainder of this Factor Sheet does not need to be completed.

No disproportionately high and adverse effects on minority populations or low-income populations have been identified, explain:

Build Alternative 2 Rehabilitation minimizes impacts by rehabilitating the freeway within the existing right of way. As a result, no relocations are required for the project and no residential or business properties will be impacted. Also, all existing interchange access points and all existing east-west cross access (overpasses) will be restored following construction. The project will restore infrastructure to a state of good repair and rehabilitate a major regional transportation facility. The project will rehabilitate infrastructure and maintain reliable access to employment, educational facilities, recreational amenities, social services, and other community resources.

In the short-term, minority and low-income populations will be affected by construction activities. Construction impacts are spread throughout the project area and will be experienced by all populations equally.

Construction-related traffic impacts are temporary and would be minimized by the implementation of construction staging, traffic management plans, WisDOT's standard specifications for construction, public engagement and ongoing coordination with local governments, transit agencies and other entities.

Mitigation commitments identified in this ER minimize project impacts to environmental justice populations. No additional commitments are required.

- Potential disproportionately high and adverse effects on minority populations or low-income populations could result from this alternative. Mitigation measures identified through consultation and public involvement have addressed all effects, explain:

- Some or all disproportionately high and adverse effects on minority populations or low-income populations remain for this alternative.
Mitigation measures identified through consultation and public involvement have addressed some effects, describe:
Identify and describe the disproportionately high and adverse effects that remain: None

8. Will the alternative be carried forward with the remaining disproportionately high and adverse effects on minority populations and low-income populations? Approval of this document indicates concurrence with this determination.

- A. No, the alternative will not be carried forward because of disproportionately high and adverse effects on minority populations and low-income populations that cannot be mitigated. Check the appropriate box below.
 - 1. Another alternative with less severe effects on minority populations and low-income populations can meet the purpose and need of the proposed action and is practicable
 - 2. Other, describe:
- B. Yes, the alternative will be carried forward with disproportionately high and adverse effects on minority populations and low-income populations. The alternative will be carried through final design without fully mitigating disproportionately high and adverse effects on minority populations or low-income populations. No additional practicable mitigation measures or alternatives to avoid or reduce the disproportionately high and adverse effects exist. A substantial need for the alternative exists based on the overall public interest. Alternatives that would have less adverse effects on minority populations and low-income populations would have:
 - 1. Adverse social, economic, environmental or human health impacts that are more severe; or
 - 2. Would involve increased costs of an extraordinary magnitude.
 Describe why it is appropriate to proceed with an alternative that has disproportionately high and adverse effects on minority populations and low-income populations:

THREATENED, ENDANGERED and PROTECTED RESOURCES Factor Sheet

06-11-2019

Wisconsin Department of Transportation

Alternative: Build Alternative 2 Rehabilitation	Preferred: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Identified	Project ID: 1228-22-00
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Federal Resources

1. Complete the following table using the Official Species List from U.S. Fish and Wildlife Service (FWS):

Species Common Name	Species Scientific Name	Federal Status	Effect Determination	Justification/Explanation
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	Threatened	No effect	On August 11, 2020, WisDOT received the No Effect consistency letter for the project. The project will rely on the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat. See Appendix D .
Red Knot	<i>Calidris canutus rufa</i>	Threatened	No effect	No habitat present.
Rusty Patched Bumble Bee	<i>Bombus affinis</i>	Endangered	No effect	Project is in the Rusty Patched Bumble Bee High Potential Zone, north of Capitol Drive. The project rehabilitates existing pavement and will not affect bee habitat.
Monarch Butterfly	<i>Danaus Plexippus</i>	Candidate	N/A	The Endangered Species Act does not offer protection to candidate species.

Date of Official Species List: March 1, 2022

2. Is there designated or proposed critical habitat within or near the project?

- No
 Yes, describe critical habitat, proximity to project, and potential impacts to the critical habitat (you may want to complete the Other Factor Sheet to document the critical habitat):

3. Has Section 7 consultation with FWS been completed?

- No, explain:
 Yes, describe consultation efforts and conclusions and indicate location within the environmental document: WisDOT received the No Effect consistency letter for the project. The project will rely on the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat See USFWS correspondence in **Appendix D**.

4. Are avoidance, minimization or compensatory mitigation measures required?

- No, explain: No effect determinations have been made for all species.
 Yes, briefly describe here:

State Resources

1. Are threatened or endangered species known to occur in the vicinity of the project?

- None identified.
 Yes – Complete the following table and include the date of the most recent Natural Heritage Inventory (NHI) review by WDNR:

Species Common Name	Species Scientific Name	State Status	Effect Determination	Justification/Explanation
N/A	N/A	N/A	N/A	N/A

Date of Natural Heritage Inventory (NHI) database review: September 29, 2020

2. Has threatened and endangered resource coordination with DNR been completed?

No, explain:

Yes, attach and reference location in this document: An Initial Review of the project area dated September 29, 2020 has been provided by the DNR, see **Appendix D**.

3. Are avoidance, minimization or compensatory mitigation measures required?

No, describe:

Yes, briefly describe:

Other Protected Resources

Bald and Golden Eagles

1. Are bald and/or golden eagles known to occur near the project?

None identified

Yes, describe:

2. Will there be adverse or beneficial effects on bald and/or golden eagles as a result of the project?

No, explain: Maintaining project activity within existing transportation corridors.

Yes, describe general proximity to project and potential impacts:

3. Has bald and golden eagle-related coordination with WDNR and/or FWS been completed?

No, explain: No nests are located in the project area.

Yes, attach and reference location in this document:

4. Are avoidance, minimization or compensatory mitigation measures required?

No, explain:

Yes, briefly describe:

Migratory Birds

1. Are migratory birds known to occur in the vicinity of the project?

None identified:

Yes, describe: The north side of the Project, north of Keefe Avenue, is within the documented Migratory Bird Concentration Site.

2. Will there be adverse or beneficial effects on migratory birds because of the project?

No, explain: See Question 4 below.

Yes, describe general proximity to project and potential impacts:

3. Has migratory bird-related coordination with WDNR and/or FWS been completed?

No, explain:

Yes, attach and reference location in this document: See question 2 under State Resources.

4. Are avoidance, minimization or compensatory mitigation measures required?

No, explain:

Yes, briefly describe: A migratory bird concentration site is known to be present within the project area north of Keefe Avenue. Sites are used by many different species, both rare and non-rare, and while these birds may not be protected under endangered species laws, they are protected under the federal Migratory Bird Treaty Act (MBTA). Disturbance including clearing of trees and shrubs and disturbance of nests, including under any of the overpass bridges north Keefe Avenue will be kept to a minimum during the spring and fall migration seasons (March 15 – May 31 and August 1 – October 31).

For all bridge structures to be disturbed in the Project corridor, the WisDOT design project manager will include special provisions for migratory bird protection, noting project demolition and construction will either occur only between August 30 and May 1st. (non-nesting season) or the WisDOT construction project manager will utilize measures to prevent nesting (e.g., remove unoccupied nests during the non-nesting season and install barrier netting prior to May 1). If netting is used, the WisDOT construction project manager will ensure it is properly maintained, then removed as soon as the nesting period is over. If neither of these options is practicable, the WisDOT construction project manager will notify the Southeast Region Technical Services Section Supervisor who will contact USFWS to apply for a depredation permit.

AIR QUALITY Factor Sheet

06-11-2019

Wisconsin Department of Transportation

Alternative: Build Alternative 2 Rehabilitation	Preferred: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None identified	Project ID: 1228-22-00
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1. Ozone:

- A. Is the project located in an area which is designated nonattainment or maintenance for ozone?
 No, proceed to question 2
 Yes, proceed to question 1B
- B. Is this project exempt from a conformity determination per 40 CFR 93.126 or per 40 CFR 93.128 as a traffic signal synchronization project or is the project exempt from regional emissions analysis requirements per 40 CFR 93.127?
 No, proceed to question 1C
 Yes, explain which exemption applies and proceed to question 2: This project is listed as 'exempt' as TIP project number 15 in the TIP document *A Transportation Improvement Program for Southeastern Wisconsin: 2021-2024*. 40 CFR 93.126 lists projects with pavement resurfacing and/or rehabilitation' as exempt projects, as well. The purpose of this project is to address deteriorating bridge and pavement conditions to maintain safe vehicular movement along I-43 between Brown Street and Capitol Drive.
- C. This project is a non-exempt project. One of the following boxes must be checked:
 This project is included in a Metropolitan Planning Organization (MPO) Board-approved Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP) endorsed by the region's MPO. The RTP and TIP were found to conform to the State Implementation Plan (SIP) for ozone by the Federal Highway Administration and the Federal Transit Administration. There has been no significant change in the design concept or scope from the project description in the RTP and TIP. Provide the following information:
MPO Name:
RTP Name:
TIP Name:
TIP Number:
TIP Project Description:)
Conformity Finding Date(s): 12/8/2020
- Through the interagency consultation process for air quality, this project has been determined to be Not Regionally Significant and is not included in the conforming RTP and TIP. Documentation supporting this conclusion is attached as
- This project is located outside of a Metropolitan Planning Organization's boundaries and has received a positive conformity determination per the rural conformity section of the 2012 Interagency Memorandum of Agreement Regarding Determination of Conformity of Transportation Plans, Programs and Projects to State Implementation Plans.
Conformity Finding Date:
- Other, describe:

2. Fine Particulate Matter, less than 2.5 microns or less (PM_{2.5})

- A. Is the project located in an area which is designated nonattainment or maintenance for PM_{2.5}?
 No, proceed to question 3
 Yes, proceed to question 2B
- B. Is this project exempt from a conformity determination per 40 CFR 93.126 or per 40 CFR 93.128 as a traffic signal synchronization project or is the project exempt from regional emissions analysis requirements per 40 CFR 93.127?
 No, proceed to question 2C or 2D.
 Yes, explain which exemption applies and proceed to question 3:

This project is listed as 'exempt' as TIP project number 15 in the TIP document A Transportation Improvement Program for Southeastern Wisconsin: 2021-2024. 40 CFR 93.126 lists projects with pavement resurfacing and/or rehabilitation' as exempt projects, as well. The purpose of this project is to address deteriorating bridge and pavement conditions to maintain safe vehicular movement along I-43 between Brown Street and Capitol Drive.

- C. This project is a non-exempt project but does not fall under the category of projects listed under 40CFR93.123(b)(1). Through the interagency consultation process for air quality, this project is not considered a project of local air quality concern. If the following box can be checked, proceed to Question 3. If the following box cannot be checked, continue to Question 2D.

This project is included in a Metropolitan Planning Organization (MPO) Board-approved Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP) endorsed by the region's MPO. The RTP and TIP were found to conform to the State Implementation Plan (SIP) for PM_{2.5} by the Federal Highway Administration and the Federal Transit Administration. There has been no significant change in the design concept or scope from the project description in the RTP and TIP. The conformity determinations of the Plan and TIP were based on the latest planning assumptions, using EPA's most recent emissions estimation model. No hot-spot analysis is required.

Provide the following information:

MPO Name:

RTP Name:

TIP Name:

TIP Number:

TIP Project Description:

Conformity Finding Date(s):

- D. This project is a non-exempt project and it falls under the category of projects listed under 40 CFR 93.123(b)(1). Through the interagency consultation process for air quality, this project is considered a project of local air quality concern. If the following box can be checked, proceed to Question 3. If the following cannot be checked, continue to Question 2E.

This project is included in a Metropolitan Planning Organization (MPO) Board-approved Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP) endorsed by the region's MPO. The RTP and TIP were found to conform to the State Implementation Plan (SIP) for PM_{2.5} by the Federal Highway Administration and the Federal Transit Administration. There has been no significant change in the design concept or scope from the project description in the RTP and TIP. The conformity determinations of the Plan and TIP were based on the latest planning assumptions, using EPA's most recent emissions estimation model. Through the interagency consultation process for air quality, this project is considered a project of local air quality concern per 40 CFR 93.123(b)(1). A quantitative hot-spot analysis was performed and a determination was made, through the interagency consultation process, that implementation of the project will not cause or contribute to any new localized PM violation, increase the frequency or severity of any existing violations, or delay timely attainment of the NAAQS or any required interim emission reductions or other milestone in the PM nonattainment or maintenance area. Documentation supporting this conclusion is attached as .

Provide the following information:

MPO Name:

RTP Name:

TIP Name:

TIP Number:

TIP Project Description:

Conformity Finding Date(s):

- E. This project is a new non-exempt project that is of local air quality concern but is not included in a metropolitan plan or TIP. The following box must be checked:

- This project was not initially included in a conforming metropolitan plan and TIP. Through the interagency consultation process for air quality, this project is considered a project of local air quality concern per 40 CFR 93.123(b)(1). The plan and TIP have been amended to include the project. A quantitative hot-spot analysis was performed and a determination was made, through the interagency consultation process, that implementation of the project will not cause or contribute to any new localized PM violation, increase the frequency or severity of any existing violations, or delay timely attainment of the NAAQS or any required interim emission reductions or other milestone in the PM nonattainment or maintenance area. Documentation supporting this conclusion is attached as . Provide the following information:

MPO Name:

RTP Name:

TIP Name:

TIP Number:

TIP Project Description:

Conformity Finding Date(s):

- F. Are mitigation measures for PM_{2.5} proposed?

No, explain why:

Yes, discuss mitigation options considered and identify those measures proposed for implementation:

3. Mobile Source Air Toxics (MSATs):

- A. For this project, what level of analysis is required for MSATs?

No analysis is required. The project has no meaningful potential MSAT effects or is an exempt project. One of the following boxes must be checked.

The project qualifies as a categorical exclusion action under 23 CFR 771.117

The project is exempt under 40 CFR 93.126

This document is an environmental assessment, but the project will have no meaningful impact on traffic volume or vehicle mix. Documentation supporting this conclusion is here:

A qualitative analysis is required. The project has low potential for MSAT effects. One of the following boxes must be checked. The qualitative analysis is attached here:

The project is a minor widening project

The project is a new interchange connecting an existing roadway with a new roadway

The project is a new interchange connecting new roadways

The project makes minor improvements or expansions to intermodal centers or other projects that affect truck traffic

The project improves highway, transit or freight operations without adding substantial capacity

A quantitative analysis is required. The project has a higher potential for MSAT effects. One of the following two boxes must be checked and the third box must also be checked. The quantitative analysis is attached here:

The project will create or significantly alter a major intermodal freight facility that has the potential to concentrate high levels of diesel particulate matter in a single location, involving a significant number of diesel vehicles for new projects or accommodating with a significant increase in the number of diesel vehicles for expansion projects

The project will create new capacity or add significant capacity to urban highways such as interstates, urban arterials, or urban collector-distributor routes with traffic volumes where the AADT is projected to be in the range of 140,000 to 150,000 or greater by the design year and

The project is proposed to be in proximity to populated areas.

- B. Are mitigation measures for MSATs proposed?

No, explain why: The project is exempt as indicated above.

Yes, discuss mitigation options considered and identify those measures proposed for implementation:

CONSTRUCTION SOUND Factor Sheet

06-11-2019

Wisconsin Department of Transportation

Alternative: Build Alternative 2 Rehabilitation	Preferred: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None identified	Project ID: 1228-22-00
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- 1. Identify and describe residences, schools, libraries, government or social services offices or other noise sensitive areas near the proposed project which will be in use during construction window of the proposed project. Include the number of persons potentially affected:**

There are 1,328 residences (Land Use Category B), 24 recreational facilities (Land Use Category C), including Atkinson Triangle park playground and basketball courts, outdoor use at Williamsburg School, Green Bay Avenue playground and tennis courts, two daycare playgrounds at Auntie Fe Fe's Child Development Center and Day to Day Fun Learning, two Dawn to Dusk Community gardens, Milwaukee Women's Correctional Center courtyard and gardens, Crossing Jordan Ministries playground, LaFollette Public School playground, baseball fields at James W. Beckum Park, and baseball fields, a pool and playground at Carver Park, and 11 interior institutional facilities (Land Use Category D), including Williamsburg School, Family Christian Outreach, DS Pentecostal Church, Zion Christian Ministries and Community Center, Mary Church Terrel Club, St. Matthew Christian Methodist, Mission of Christ Lutheran, Midwest Church of Christ, Inter-Denominational Church of the One Lost Sheep, Kingdom Hall of Jehovah's Witnesses, and St. John's Christian Methodist Episcopal Tabernacle, abutting the proposed roadway improvement within the project limits.

- 2. Describe the types of construction equipment to be used on the project. Discuss the expected severity of noise levels including the frequency and duration of any anticipated high noise levels:**

Noise will be generated by construction equipment used to construct and rehabilitate the freeway and bridges. Typical construction equipment would include dump trucks, graders, cranes, bulldozers, and pavement construction equipment. The noise generated by this type of construction equipment will vary greatly, depending upon the equipment type and model, mode and duration of operation, and specific type of work effort; however, typical noise levels may occur in the 75 to 95 dBA range (at 50 feet). Other distance-typical noise level ranges are shown on Table 1: Construction Noise/Distance Relationships.

Variations in building setbacks and land use, local intensity of specific construction activities, and sequencing and timing of construction will result in varying degrees of exposure to construction noise and hence varying levels of resulting construction noise impacts. Adverse effects related to construction noise are anticipated to be of a localized, temporary, and transient nature.

- 3. Describe the construction stage noise abatement measures to minimize identified adverse noise effects:**

. Check all that apply:

- WisDOT Standard Specifications 107.8(6) and 108.7.1 will apply.
- WisDOT Standard Specifications 107.8(6) and 108.7.1 will apply with the exception that the hours of operation requiring the engineer's written approval for operations will be changed to _____ p.m. until _____ a.m.
- Special construction stage noise abatement measures will be required. Describe:

**Table 1: Construction Noise/
Distance Relationships**

Distance from Construction Site (feet)	Range of Typical Noise Levels (dBA)¹
25	82 – 102
50	75 – 95
100	69 – 89
200	63 – 83
300	59 – 79
400	57 – 77
500	55 – 75
1000	49 – 69

¹ Point sources = 6 dBA reduction per doubling of distance

Source: FDM 23-40, Attachment 1.1

HAZARDOUS SUBSTANCES, CONTAMINATION and ASBESTOS Factor Sheet

06-10-2019

Wisconsin Department of Transportation

Alternative: Build Alternative 2 Rehabilitation	Preferred: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None identified	Project ID: 1228-22-00
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I. HAZARDOUS SUBSTANCES and CONTAMINATION

- 1. Briefly describe the results of the Phase 1 Hazardous Materials Assessment for this alternative. Do not use property identifiers including owner name, address or business name. Attach additional sheets if necessary.**

The Phase 1 assessment for the corridor was conducted in 2015. Since that time, the scope of the improvements on the Project has changed and the number of sites requiring subsurface investigation has also been reduced. The table below details the four sites identified for further investigation.

Site Reference #	Land Use of Concern (Past or Present)	Contaminants of Concern	Phase 1 Recommendations (No further action, or is a phase 2, 2.5 or 3 recommended for this site, and why?)
7	Former gas station and Auto repair	Potential concern – EDR Historical Auto Station	The historical land use as a gas station for 20 years and the unknown condition/location of several USTs recorded for the site indicate that this site has the potential to impact the proposed improvements and a Phase 2 hazardous materials investigation is required.
9	Auto repair	Potential concern – EDR Historical Auto Station	The historical and current land use (auto repair since the 1920's) and location indicate that this site has the potential to impact the proposed improvements and a Phase 2 hazardous materials investigation is required.
13	Gas station	Potential concern - UST, LUST, SHWIMS, EDR Historical Auto Station, CRS, AUL	The historical and current land use (gas station) and proximity of residual soil contamination at the site and groundwater contamination located within the road right of way indicate that this site has the potential to impact the proposed improvements and a Phase 2.5 investigation is required.

- 2. Were any parcels not included in the Phase 1 assessment?**

No

Yes, how many:

Why were parcels not reviewed? Explain:

- 3. Are there any sites with continuing obligations or deed restrictions?**

No

Yes, complete the table for each site closed with continuing obligations or deed restrictions:

Site Reference #	Soil or Excavation Restrictions	Groundwater Restrictions	Cover Restrictions	Other Restrictions	DNR Notification Required?
13	The LUST activity was conditionally closed by the WDNR in December 2003 with a groundwater use restriction and cap maintenance plan for residual soil / groundwater contamination at the site.	The LUST activity was conditionally closed by the WDNR in December 2003 with a groundwater use restriction and cap maintenance plan for residual soil / groundwater contamination at the site.	None	None	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes, DNR has been notified. DNR response is attached.

4. Have Phase 2, 2.5 or 3 Assessments been completed? Discuss the results:

Site Reference #	Phase 2, 2.5 or 3 Recommendations	Materials Handling Plan or Remediation Recommended?		Is WisDOT a Responsible Party?	
		Yes	No	Yes	No
7 and 9 ¹	Add special provisions in construction documents advising contractor of Phase 2.5 findings, and requirements to manage petroleum- and metals-contaminated soil and groundwater.	X		X	
13	Same provisions noted for Site 7 and special provisions advising contractor of findings and requirements to manage PCE-contaminated soil (solid waste soil).	X		X	

5. Describe the results of any additional investigations performed by WisDOT or others (Include the number of sites investigated, the level of investigation and results for each site that relates to this project):

Level of investigation: Soil borings at 26 locations and temporary monitoring wells installed at 5 locations to collect groundwater samples.

Definitions:

- DRO – Diesel Range Organics
- GRO – Gasoline Range Organics
- NR – refers to Wisconsin Administrative for Natural Resources
- PCB – Polychlorinated Biphenyls
- PCE- Perchloroethylene/tetrachloroethylene
- RCLs – Residual Contaminant Levels in NR 720
- SVOC – Semi Volatile Organic Compounds
- VOC – Volatile Organic Compounds

Results - Sites 7/9:

- Petroleum-contaminated soil present in at one boring location at a depth of approximately 11 to 16 feet below ground surface (bgs). The cadmium concentration of 1.1 mg/kg found at this location should be considered background since the cadmium Background Threshold Value is 1.0 mg/kg and there is no

¹ Sites 7 and 9 are adjacent to one another, and WisDOT selected an environmental soil boring and associated analytical program that would, in fact, give the project coverage from a contaminated material standpoint, for both of these adjacent sites.

known source of cadmium in the area. Additionally, excavation in the vicinity of site will only be to a depth of approximately 10 feet.

- Petroleum- and/or lead-contaminated soil was present in one boring location at a depth of approximately 1 to 20+ feet bgs.
- Metals-contaminated soil was present in one boring location at a depth of approximately 1 to 6 feet bgs.
- A Release Notification was submitted to the WDNR on November 20, 2020 for the contamination discovered in two boring locations. The site was assigned BRRTS No. 03-41-586913

Results – Site 13:

- PCE-contaminated soil present in one boring location.
- SVOC and arsenic-contaminated soil present at three boring locations.

- 6. Describe any design elements that have been incorporate into this alternative to avoid any contaminated sites:** None required at this time
- 7. Describe the remediation and waste management practices to be included in the design for areas where contamination cannot be avoided (e.g., materials handling plan, remediation of contamination, design changes to minimize disturbances):** Disturbance near potentially contaminated sites will be minimized to the extent possible and practicable. As applicable, the contract special provisions will include a Notice to Contractor describing the potential contamination with names and locations of the sites. WisDOT will properly dispose of any contaminated materials encountered.
- 8. List any parcels with known contamination which are proposed for acquisition:** No land acquisition required for this project.

II. ASBESTOS

- 1. Have all the bridges on the project been inspected for the presence of asbestos containing material (ACM):**

No, explain:

Yes, fill out the table below and insert additional data as needed:

Bridge Number	Results of Asbestos Sampling	Proposed Work (brief description)	List the Appropriate Special Provision
B-40-0206	Transite pipes under the bridge contain regulated ACM	Replace deck and paint	If the ACM will be disturbed during the planned bridge rehabilitations, the ACM must be removed prior to any work. Standard Special Provision (STSP) 203-005 should be incorporated into the specifications
B-40-0207	>1% asbestos under the railing attachment plate (28 sq ft)	Replace deck and paint	If the ACM will be disturbed during the planned bridge rehabilitation, the ACM must be removed prior to any work. Standard Special Provision (STSP) 203-005 should be incorporated into the specifications
B-40-0208	Transite pipes under the bridge contain regulated ACM	Paint	If the ACM will be disturbed during the planned bridge rehabilitation, the ACM must be removed prior to any work. Standard Special Provision (STSP) 203-005 should be incorporated into the specifications

Bridge Number	Results of Asbestos Sampling	Proposed Work (brief description)	List the Appropriate Special Provision
B-40-0209	>1% asbestos under the railing attachment plate (32 sq ft)	Concrete deck overlay and paint	If the ACM will be disturbed during the planned bridge rehabilitation, the ACM must be removed prior to any work. Standard Special Provision (STSP) 203-005 should be incorporated into the specifications
B-40-0215	>1% asbestos under the railing attachment plate (40 sq ft)	Concrete deck overlay and paint	If the ACM will be disturbed during the planned bridge rehabilitation, the ACM must be removed prior to any work. Standard Special Provision (STSP) 203-005 should be incorporated into the specifications

2. **Number of structures (buildings) proposed to be acquired and demolished:** None

3. **Number of structures (buildings) proposed to be acquired and relocated:** None

4. **Are there utilities with known transite conduit or piping located within the project limits?**

No Yes - answer 4.a. and 4.b.

a. **Number of linear feet of conduit expected be impacted:** None

Who will conduct the abatement during construction?

Utility Municipality Included in construction contract*

* STSP 203-006 must be included as an environmental commitment.

b. **Number of linear feet of conduit expected to be protected:** 13,944.4 linear feet

STORMWATER Factor Sheet

06-13-2019

Wisconsin Department of Transportation

Alternative: Build Alternative 2 Rehabilitation	Preferred: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None identified	Project ID: 1228-22-00
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1. Special consideration should be given to areas that are sensitive to water quality degradation. Indicate whether a sensitive area is present and provide specific recommendations on the level of protection needed.

- No, special natural resources are not affected by the alternative
- Yes, special natural resources exist in the project area
 - DNR designated Outstanding Resource Waters (ORW)
 - DNR Designated Exceptional Resource Waters (ERW)
 - Wetland(s)
 - Lake
 - Endangered species or critical habitat
 - Cold water stream
 - Other waterways
 - Areas of groundwater recharge
 - Total Maximum Daily Load (TMDL)
 - Other, describe:

Describe protection recommendations:

2. Indicate whether circumstances exist in the project vicinity that require additional consideration such as an increase in peak flow, total suspended solids (TSS) or water volume.

- No, additional or special circumstances are not present.
- Yes, additional or special circumstances exist. Indicate all that are present:
 - Areas of groundwater discharge
 - Stream relocations
 - Long or steep cut or fill slopes
 - Increased backwater
 - Significant increase in impervious surface
 - Other – Describe any unique, innovative, or atypical stormwater management measures to be used:
 - Rural to urban conversion
 - Impaired waterway
 - High velocity flows
 - Large quantity flows

3. Describe the overall stormwater management strategy to minimize adverse effects and enhance beneficial effects:

To minimize adverse effects from stormwater runoff during construction, WisDOT will prepare and implement an erosion and sediment control plan. WisDOT will follow regulations for highway project stormwater management, including the WisDOT Facilities Development Manual, Chapter 10, Erosion Control and Storm Water Quality; and the WisDOT/DNR Cooperative Agreement Amendment – Memorandum of Understanding on Erosion Control and Storm Water Management.

If required, the WisDOT design project manager will obtain coverage under the WisDOT Transportation Construction General Permit prior to construction activities. The WisDOT construction project manager will oversee implementation of stormwater management and erosion control as described in DNR's initial review letter of 9/29/20, see **Appendix D**.

Indicate how the stormwater management plan will be compatible with fulfilling Trans 401 and the WDNR

The project will use in-line storm sewer treatment such as catch basins to direct stormwater from the freeway to flow into the City of Milwaukee sewer system at three outfall locations. The Capitol Drive and Burleigh Street outfalls will discharge runoff to two separate combined sewer systems. The outfall south of North Avenue goes to a storm sewer system constructed as part of the Marquette Interchange project. All flows are treated at the Milwaukee Metropolitan Sewerage District (MMSD) wastewater treatment plant. The proposed storm water management strategies will conform to NR 151/TS4 requirement for 40% TSS removal.

4. Identify the stormwater management measures to be considered:

<input type="checkbox"/> Swale treatment (parallel to flow) Trans 401.106(10)	<input checked="" type="checkbox"/> In-line storm sewer treatment, such as catch basins, non-mechanical treatment systems
<input type="checkbox"/> Vegetated filter strip (perpendicular to flow)	<input type="checkbox"/> Detention basins
<input type="checkbox"/> Distancing outfalls from waterway edge	<input type="checkbox"/> Constructed storm water wetlands
<input type="checkbox"/> Infiltration – Trans 401.106(5)	<input type="checkbox"/> Buffer areas – Trans 401.106(6)
<input type="checkbox"/> Other – Describe:	<input type="checkbox"/> Other – Describe:

5. Indicate whether any Drainage District may be affected by the project (https://datcp.wi.gov/Pages/Programs_Services/DrainageDistricts.aspx).

- No, none identified
- Yes, has initial coordination with a drainage board been completed?
 - No, explain why:
 - Yes, discuss results:

6. Indicate whether the project is within a WDNR Municipal Separate Storm Sewer System (MS4) permitted stormwater management area or a WDNR TS4 stormwater management area.

- No, the project is outside of a MS4 or TS4 stormwater management area
- Yes, the project affects one of the following and is regulated by a WPDES stormwater discharge permit, issued by the WDNR:
 - A WDNR MS4 storm sewer system (connecting highways or local roads)
 - A WDNR TS4 storm sewer system for WisDOT highways (outside of connecting highway limits)
 Describe coordination and BMPs below and indicate location of evidence of coordination here:

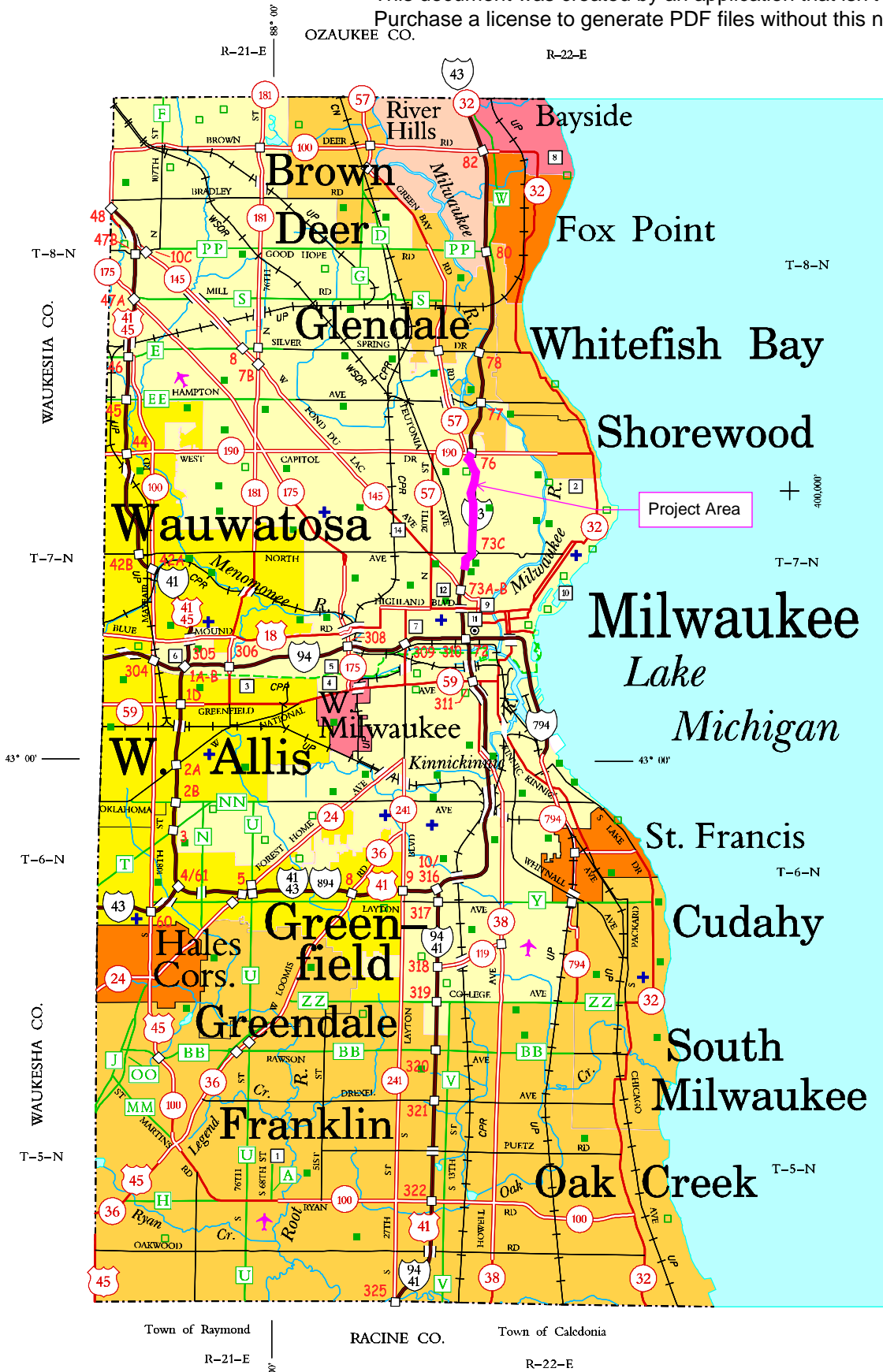
TS4:	Coordination: Ongoing with the city of Milwaukee	BMPs: Catch basins at select low points.
MS4:	Coordination: Ongoing with the city of Milwaukee	BMPs: Catch basins at select low points.

7. Has the effect on downstream properties been considered?

- No, explain: No increase in peak flow from build alternative.
- Yes, coordination has been completed or is in process, describe:

APPENDIX A
PROJECT LOCATION

MILWAUKEE 40-SE



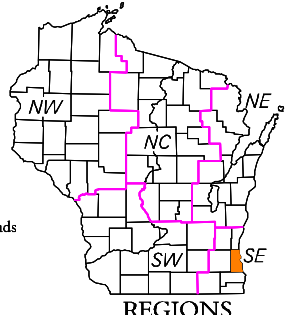
LEGEND

- Freeway
- Multilane Divided
- U.S. or State Hwy
- County Trunk Hwy
- Town Road
- Firelane
- Railroad
- State Trail
- Interchange
- Highway Separation
- Interstate Highway No. (94)
- U.S. Highway No. (18)
- State Highway No. (59)
- County Highway Letter (T)
- State Boundary
- County Boundary
- Civil Town Boundary
- Section Line
- Dam
- Hospital
- Airport
- County Seat
- Unincorporated Village
- Fish Hatchery
- Game Farm
- Public Hunt. or Fish. Grds.
- Public Camp & Picnic Grds.
- Ranger Station
- State Park
- County Park
- Rest Area
- Wayside

- Milwaukee Co. House of Correction [1]
- University of Wisconsin - Milwaukee [2]
- State Fair Park [3]
- Wood Veterans Hospital [4]
- Miller Park [5]
- Milwaukee Co. Zoo [6]
- Marquette University [7]
- Schlitz Audubon Nature Center [8]
- BMO Harris Bradley Center [9]
- Port of Milwaukee [10]
- Milwaukee Secure Detention Facility [11]
- Marshall Sherrer Correctional Center [12]
- Milwaukee Women's Correctional Ctr. [13]
- Felmers O. Chaney Correctional Center [14]

MILWAUKEE 40-SE

For boundaries of public hunting and fishing grounds please contact the Department of Natural Resources



MILES OF HIGHWAY
as of Dec. 31, 2017

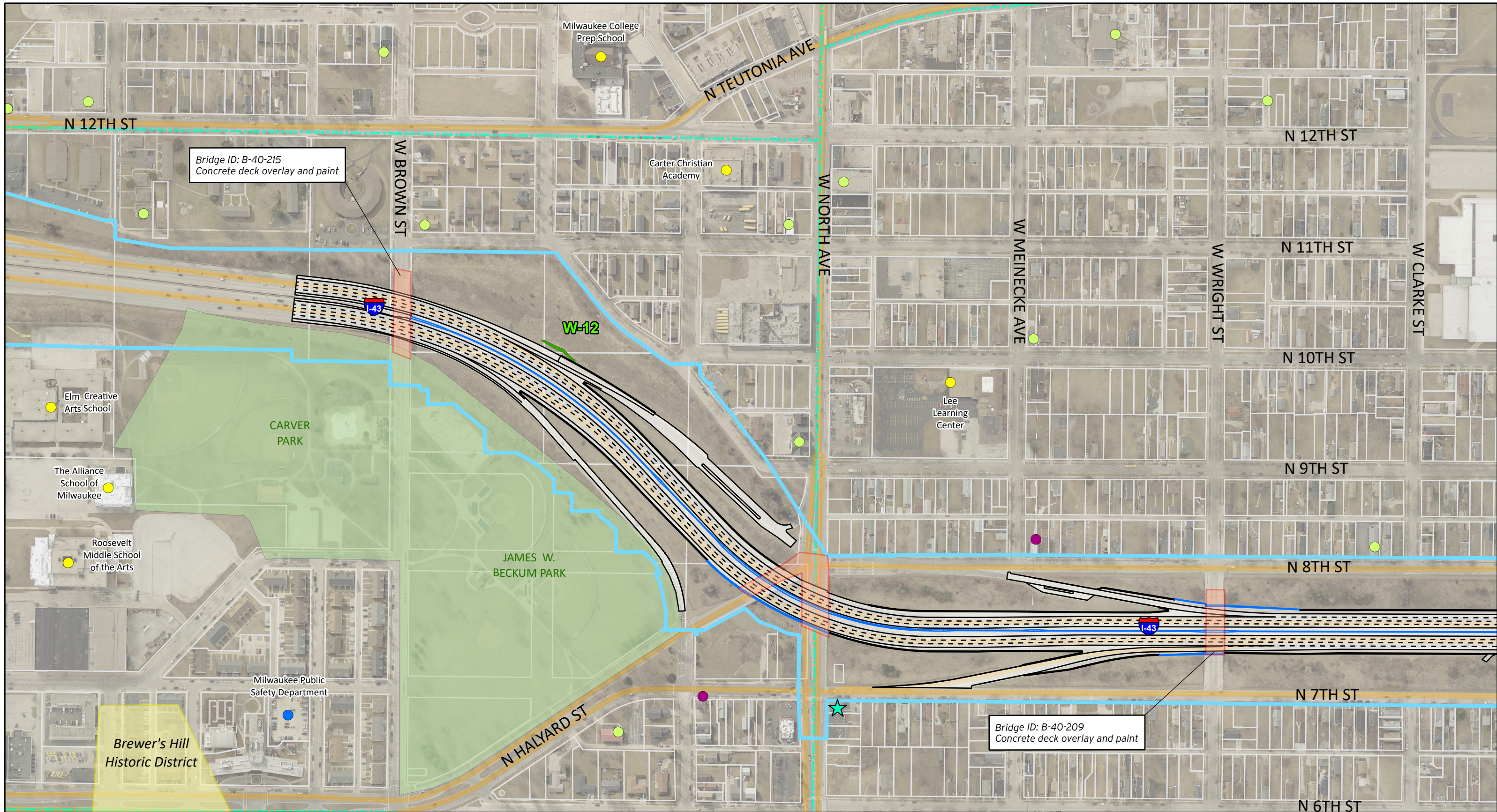
STATE	255
COUNTY	140
LOCAL ROADS	2630
OTHER ROADS	19
TOTAL FOR COUNTY	3044
Land Area (2010 Census)	241 sq mi
Population (2010 Census)	947,735
County Seat	Milwaukee

MILWAUKEE CO.

DEPARTMENT OF TRANSPORTATION
 Madison, Wisconsin
 SCALE 0 1 2 MILES
 Corrected for
 JAN. 2020
 Base compiled from U.S.G.S. Quadrangles
 1:100,000 Series

APPENDIX B-1

**ENVIRONMENTAL RESOURCES AND
CONCEPTUAL DESIGN PLANS**



- Legend**
- Project Features**
- Concrete Barrier
 - Lane Edge
 - Lane Markings
 - Existing Bridge
 - Existing Right of Way
 - Parcel Boundaries

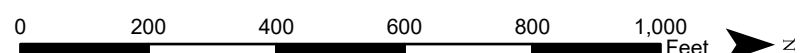
- Environmental Resources**
- Social Service Facility
 - Medical Facility
 - Child Care
 - Places Of Worship
 - Schools
 - Law Enforcement Facility
 - Food Pantry

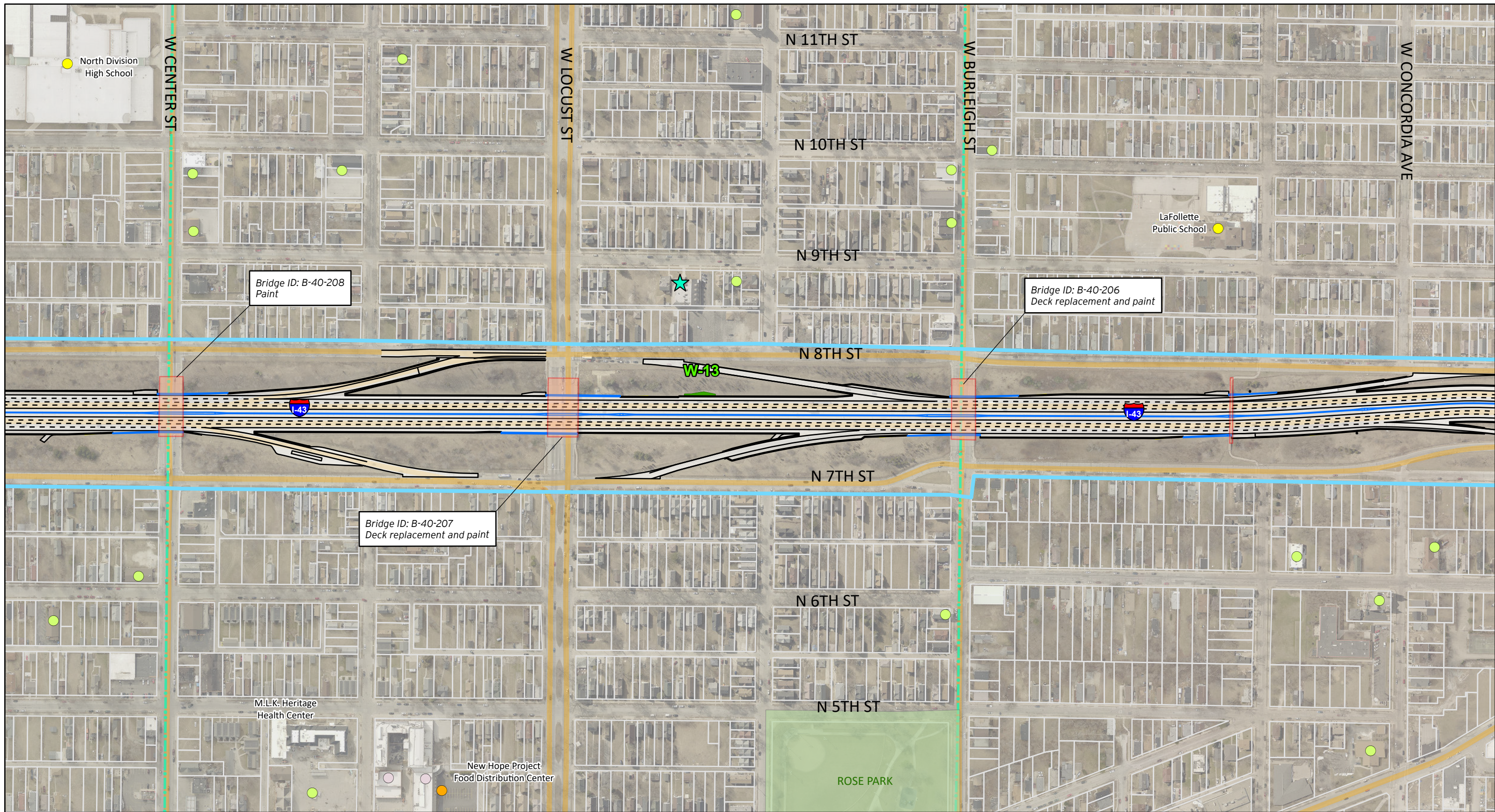
- NRHP Listed Property
- MCTS Bus Routes
- On Street Bike Routes
- NRHP District
- Parks
- Delineated Wetlands

I-43 Brown Street to Capitol Drive

Environmental Resource Maps and Conceptual Design Plans

Sources: Wisconsin DNR, MCTS, City of Milwaukee, ArcGIS Online, National Register of Historic Places





I-43 Brown Street to Capitol Drive

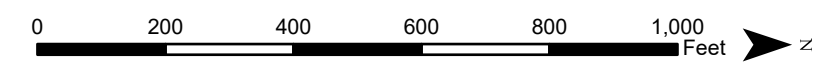
Environmental Resource Maps and Conceptual Design Plans

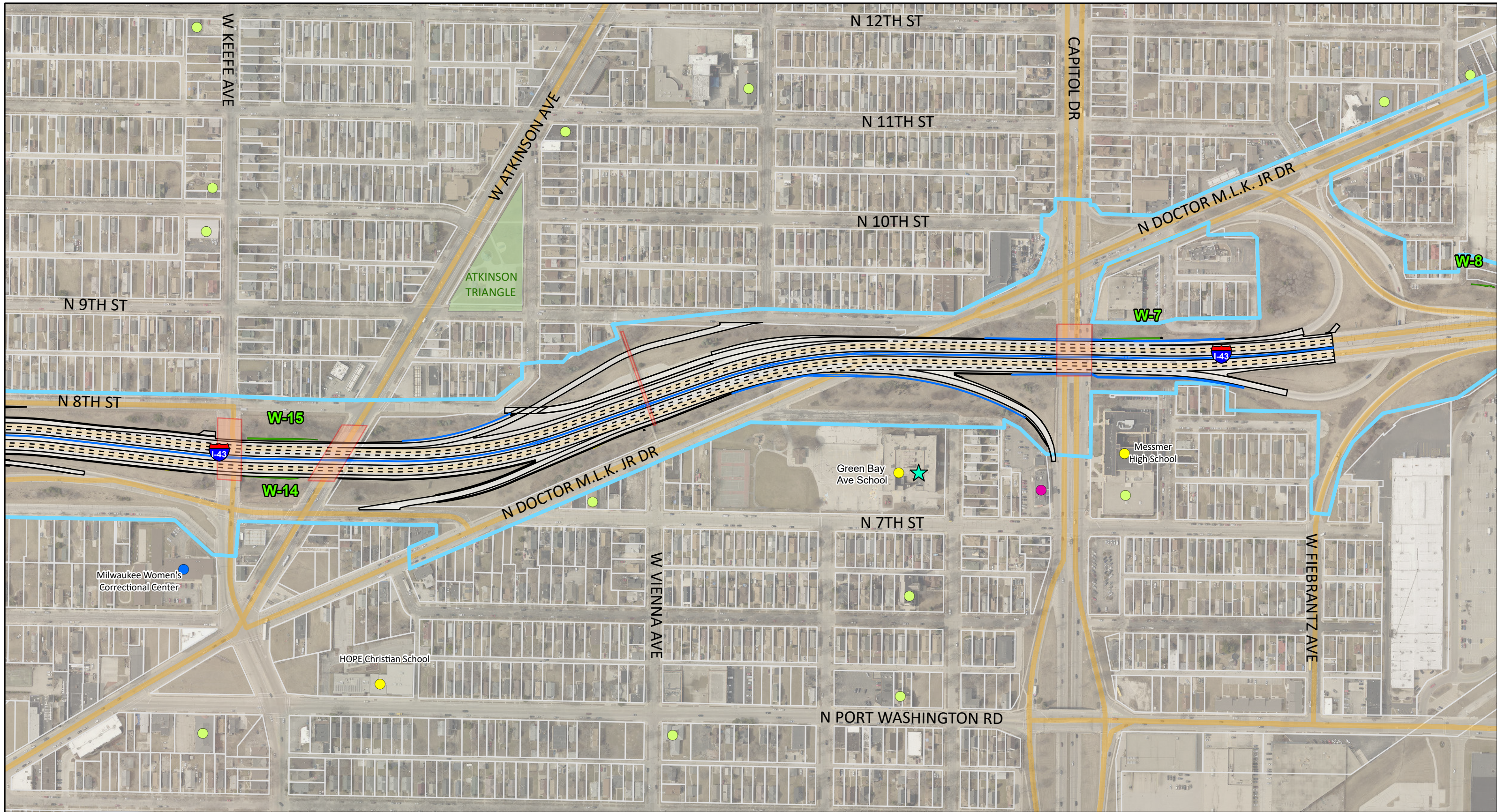
Sources: Wisconsin DNR, MCTS, City of Milwaukee, ArcGIS Online, National Register of Historic Places

- Legend**
- Project Features**
- Concrete Barrier
 - Lane Edge
 - - - Lane Markings
 - Existing Bridge
 - Existing Right of Way
 - Parcel Boundaries

- Environmental Resources**
- Social Service Facility
 - Medical Facility
 - Child Care
 - Places Of Worship
 - Schools
 - Law Enforcement Facility
 - Food Pantry

- NRHP Listed Property
- MCTS Bus Routes
- On Street Bike Routes
- NRHP District
- Parks
- Delineated Wetlands





Legend

- Project Features**
- Concrete Barrier
 - Lane Edge
 - - Lane Markings
 - Existing Bridge
 - Existing Right of Way
 - Parcel Boundaries

- Environmental Resources**
- Social Service Facility
 - Medical Facility
 - Child Care
 - Places Of Worship
 - Schools
 - Law Enforcement Facility
 - Food Pantry

- ★ NRHP Listed Property
- MCTS Bus Routes
- - On Street Bike Routes
- NRHP District
- Parks
- Delineated Wetlands

I-43 Brown Street to Capitol Drive

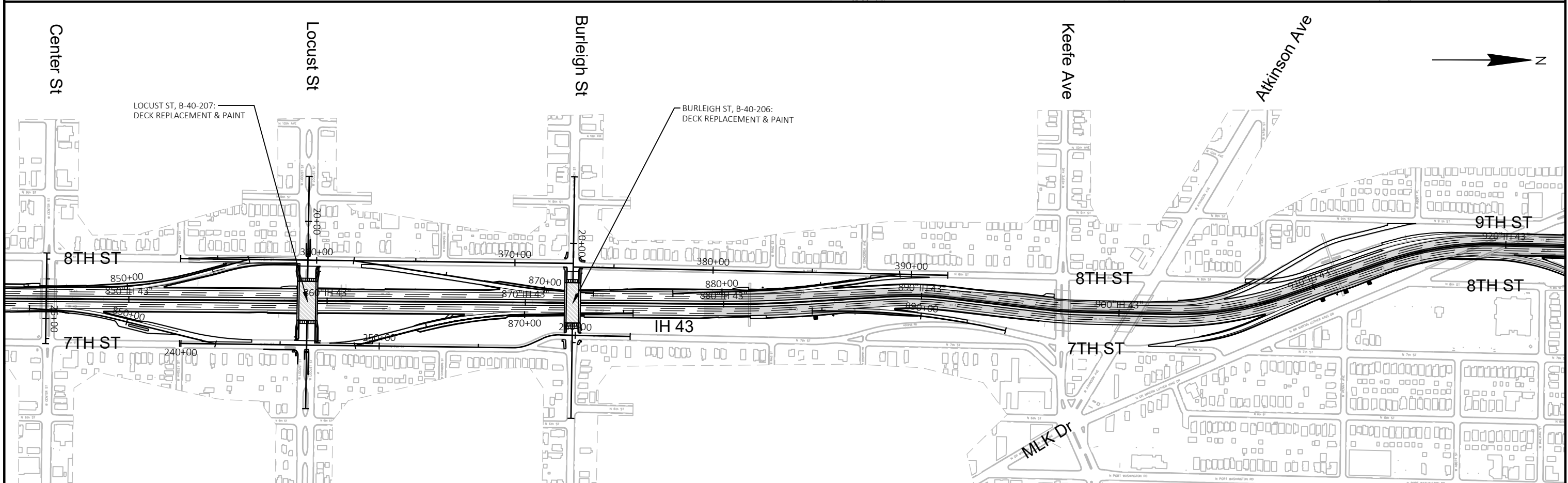
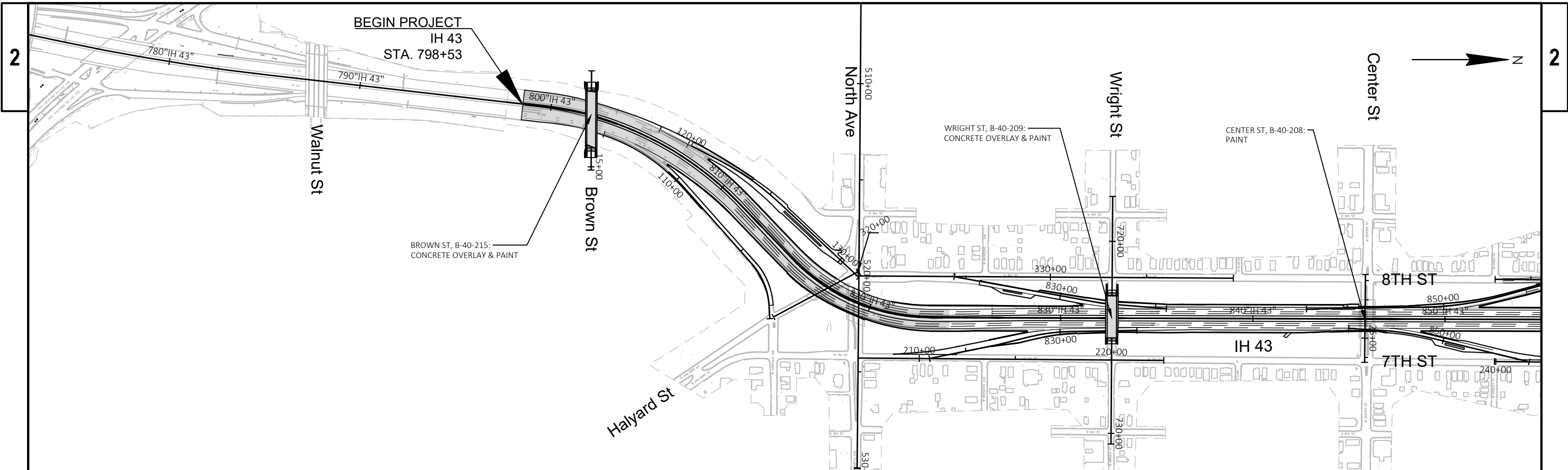
Environmental Resource Maps and Conceptual Design Plans

Sources: Wisconsin DNR, MCTS, City of Milwaukee, ArcGIS Online, National Register of Historic Places



APPENDIX B-2

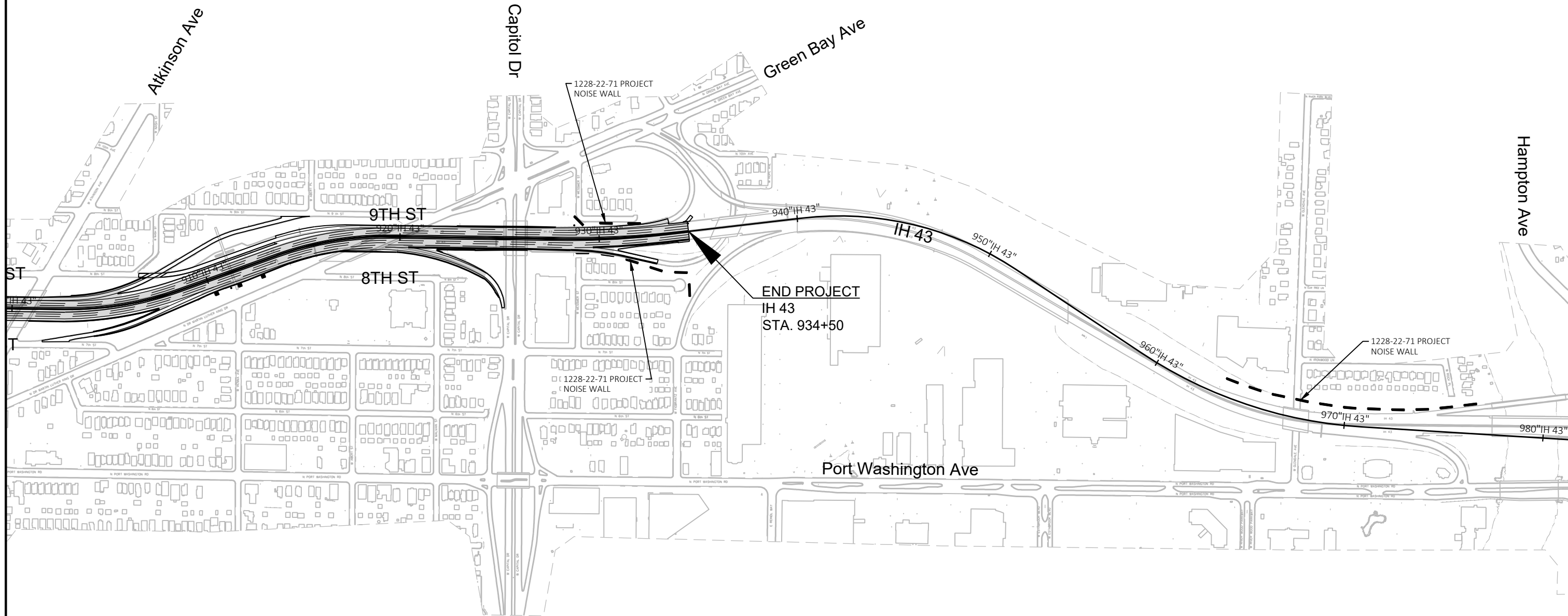
EXISTING AND PROPOSED TYPICAL SECTIONS



PROJECT NO: 1228-22-70	HWY: IH 43	COUNTY: MILWAUKEE	PROJECT OVERVIEW	SHEET	E
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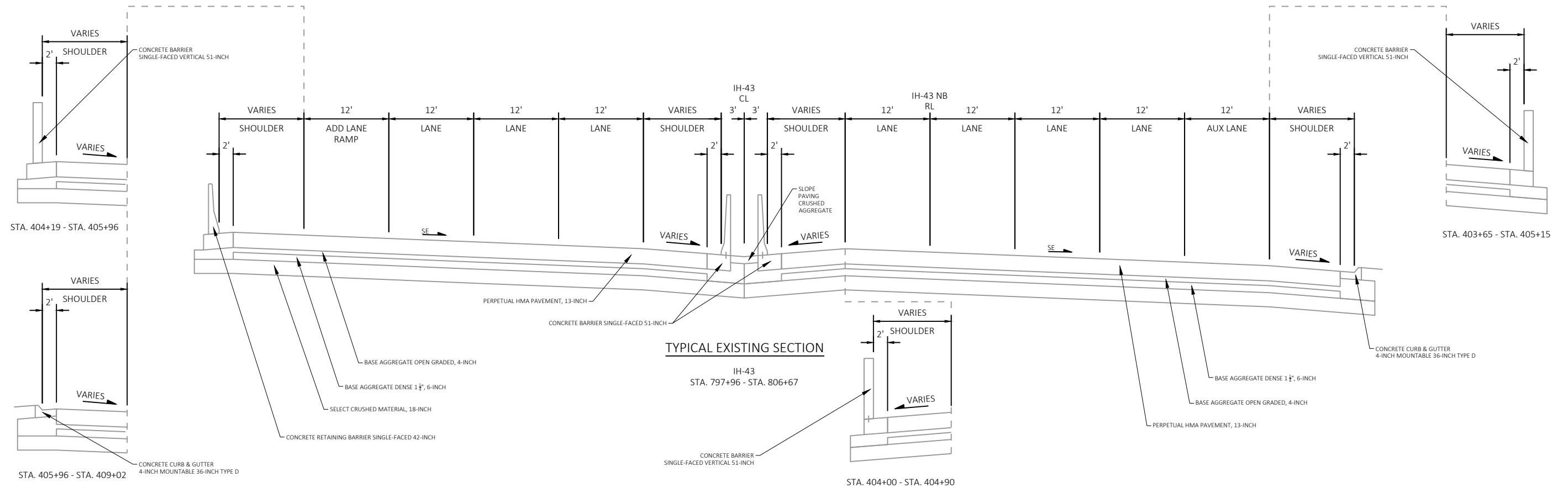
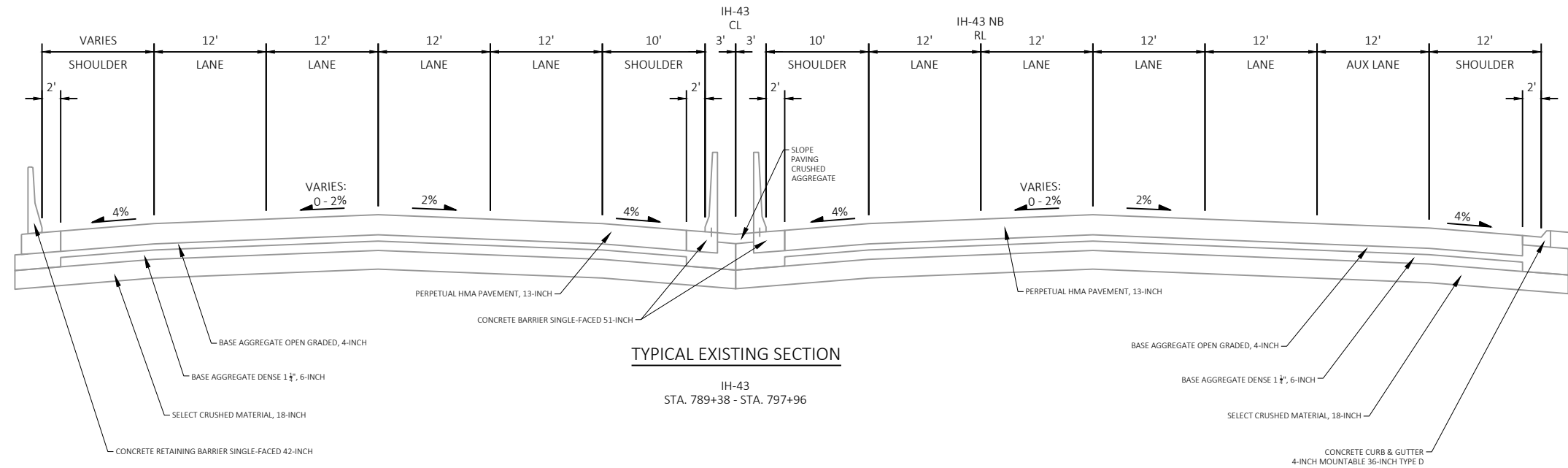
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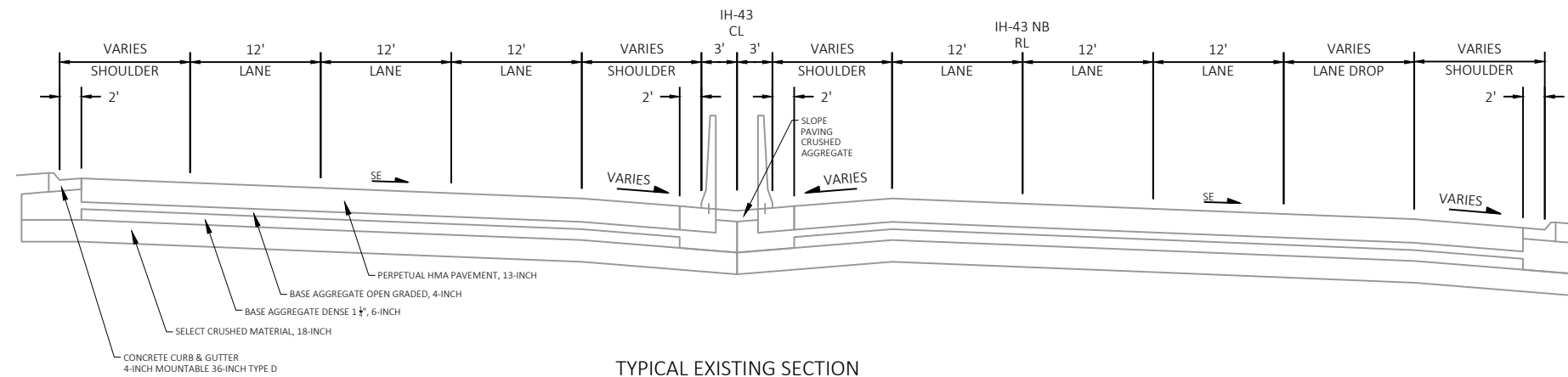
WISDOT/CADD SHEET 44



PROJECT NO: 1228-22-70	HWY: IH 43	COUNTY: MILWAUKEE	PROJECT OVERVIEW	SHEET	E
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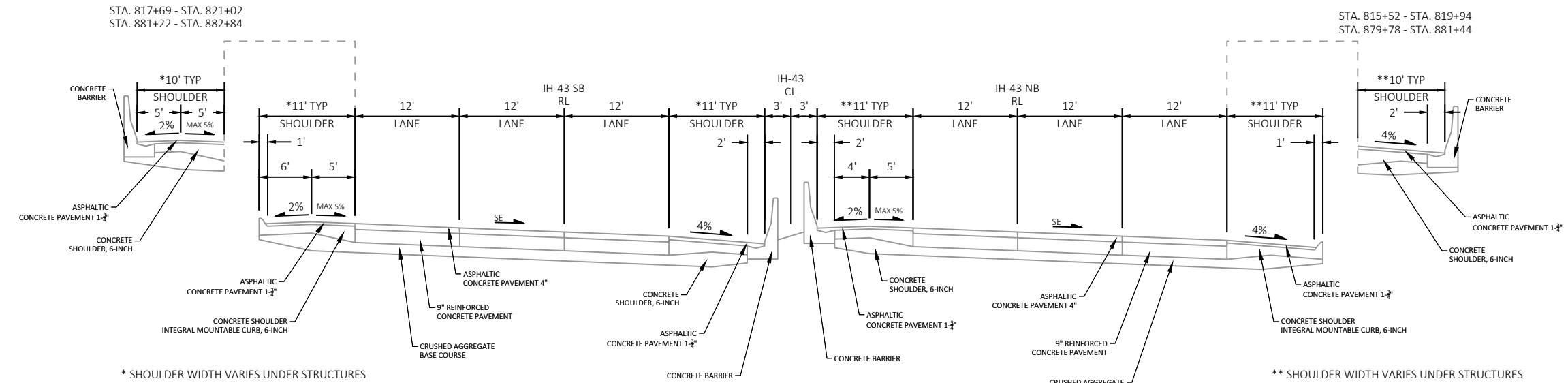
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TYPICAL EXISTING SECTION

IH-43
STA. 806+67 - STA. 813+22



TYPICAL EXISTING SECTION

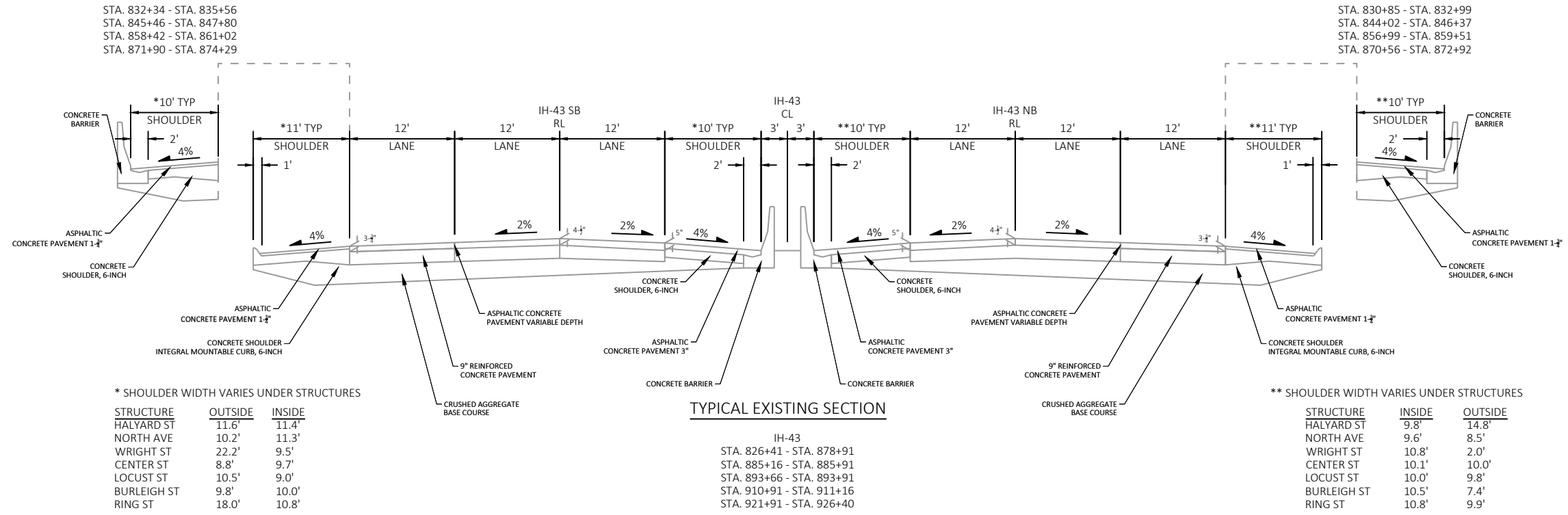
IH-43
STA. 813+22 - STA. 826+41
STA. 878+91 - STA. 885+16
STA. 885+91 - STA. 893+66
STA. 893+91 - STA. 910+91
STA. 911+16 - STA. 921+91

* SHOULDER WIDTH VARIES UNDER STRUCTURES

STRUCTURE	OUTSIDE	INSIDE
HALYARD ST	11.6'	11.4'
NORTH AVE	10.2'	11.3'
WRIGHT ST	22.2'	9.5'
CENTER ST	8.8'	9.7'
LOCUST ST	10.5'	9.0'
BURLEIGH ST	9.8'	10.0'
RING ST	18.0'	10.8'

** SHOULDER WIDTH VARIES UNDER STRUCTURES

STRUCTURE	INSIDE	OUTSIDE
HALYARD ST	9.8'	14.8'
NORTH AVE	9.6'	8.5'
WRIGHT ST	10.8'	2.0'
CENTER ST	10.1'	10.0'
LOCUST ST	10.0'	9.8'
BURLEIGH ST	10.5'	7.4'
RING ST	10.8'	9.9'



* SHOULDER WIDTH VARIES UNDER STRUCTURES

STRUCTURE	OUTSIDE	INSIDE
HALYARD ST	11.6'	11.4'
NORTH AVE	10.2'	11.3'
WRIGHT ST	22.2'	9.5'
CENTER ST	8.8'	9.7'
LOCUST ST	10.5'	9.0'
BURLEIGH ST	9.8'	10.0'
RING ST	18.0'	10.8'

** SHOULDER WIDTH VARIES UNDER STRUCTURES

STRUCTURE	INSIDE	OUTSIDE
HALYARD ST	9.8'	14.8'
NORTH AVE	9.6'	8.5'
WRIGHT ST	10.8'	2.0'
CENTER ST	10.1'	10.0'
LOCUST ST	10.0'	9.8'
BURLEIGH ST	10.5'	7.4'
RING ST	10.8'	9.9'

TYPICAL EXISTING SECTION

IH-43
 STA. 826+41 - STA. 878+91
 STA. 885+16 - STA. 885+91
 STA. 893+66 - STA. 893+91
 STA. 910+91 - STA. 911+16
 STA. 921+91 - STA. 926+40



TYPICAL EXISTING SECTION

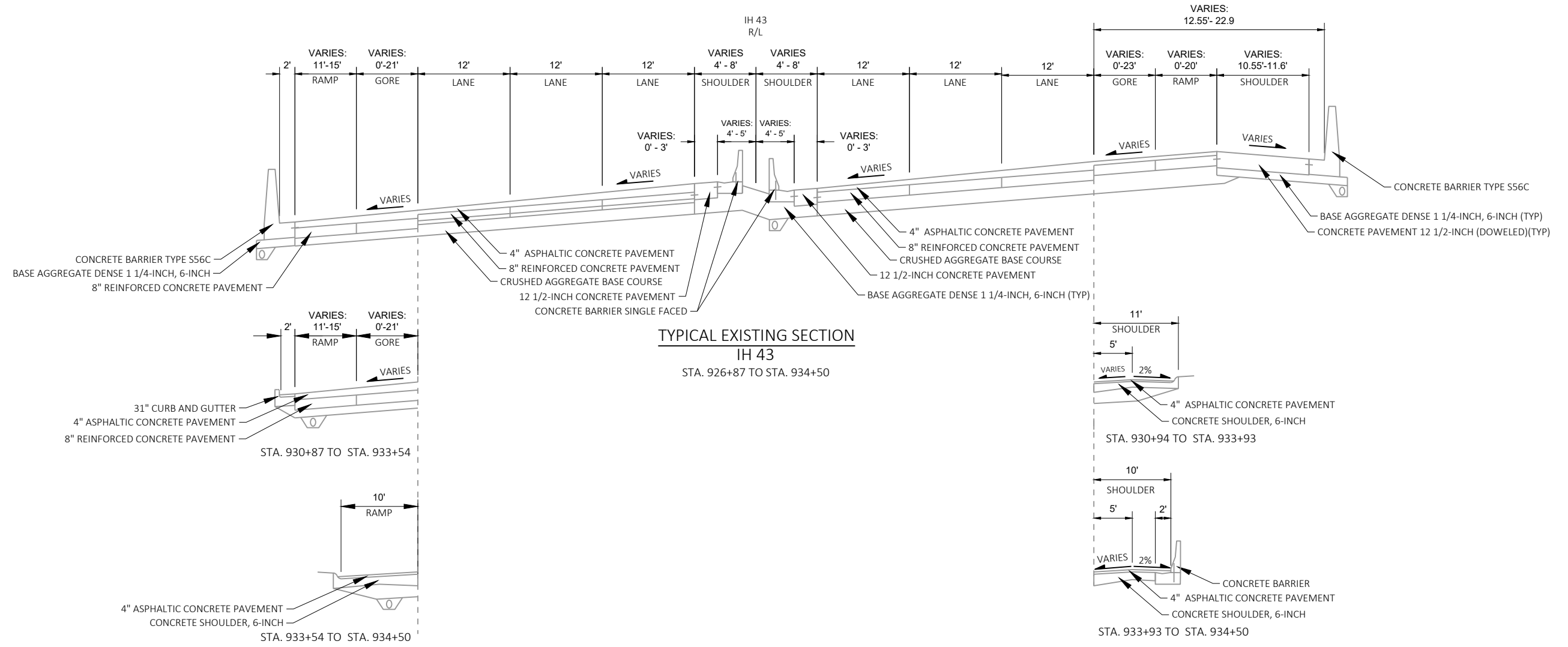
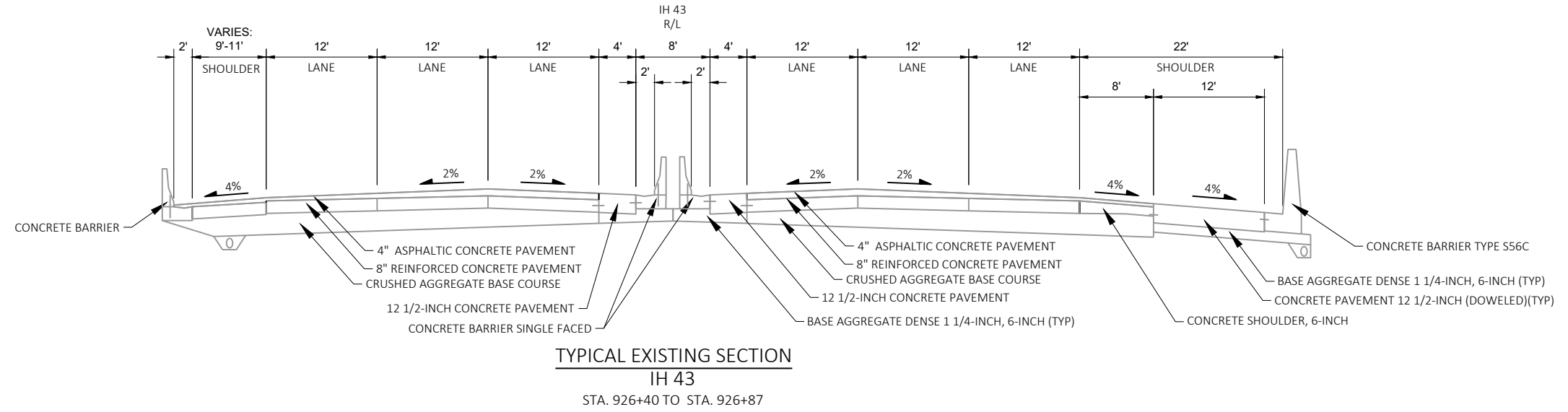
IH-43 SB RAMP
 NO RAMP C STA. 825+70 - 831+31
 LO RAMP B STA. 851+10 - 855+65
 LO RAMP C STA. 861+48 - 867+77
 KA RAMP B STA. 885+19 - 888+38

IH-43 NB RAMP
 NO RAMP D STA. 824+06 - 829+17
 LO RAMP A STA. 848+94 - 854+19
 LO RAMP D STA. 861+66 - 867+38
 KA RAMP A STA. 888+79 - 892+37

NORTHBOUND	RAMP	WIDTH*
	NO RAMP D	21.0'
	LO RAMP A	19.0'
	LO RAMP D	22.1'
	KA RAMP A	19.3'

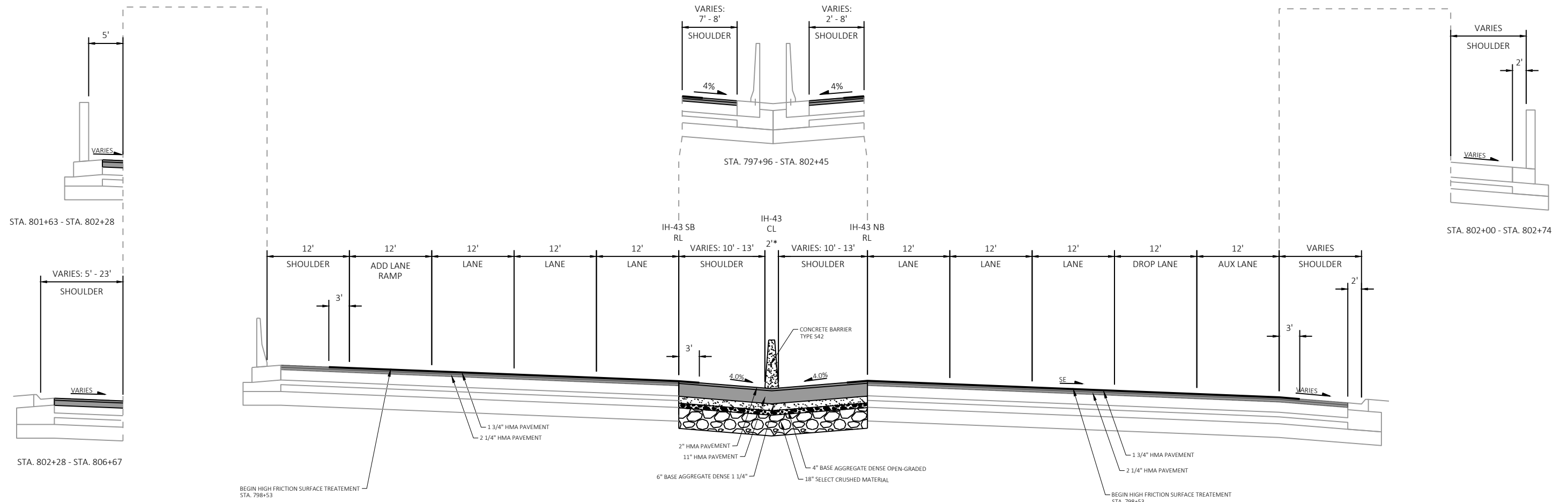
SOUTHBOUND	RAMP	WIDTH*
	NO RAMP C	25.5'
	LO RAMP B	19.4'
	LO RAMP C	24.3'
	KA RAMP B	19.2'

*VALUES GIVEN ARE MAXIMUM VALUES, RAMP SHOULDER WIDTHS VARY THROUGHOUT



PROJECT NO: 1228-22-70	HWY: IH 43	COUNTY: MILWAUKEE	TYPICAL SECTION	SHEET	E
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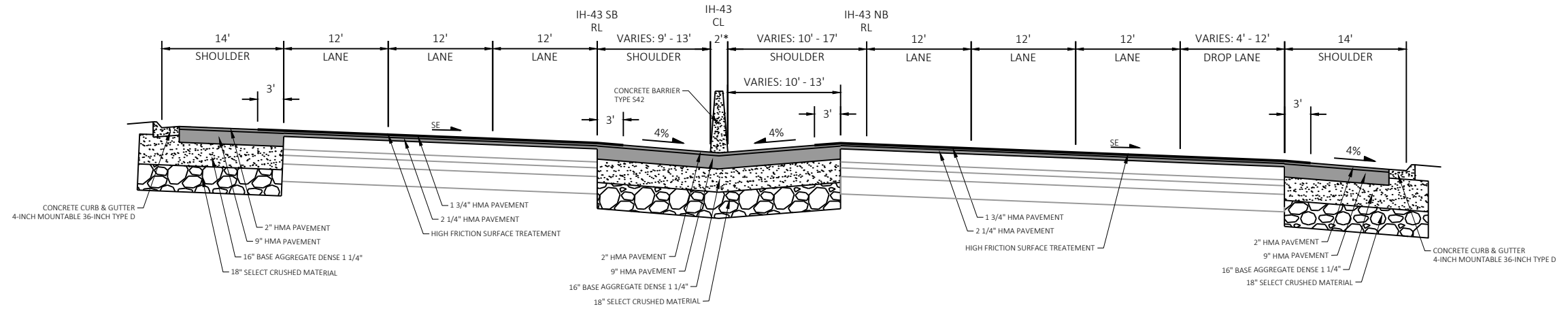


TYPICAL PROPOSED SECTION

IH-43
 STA. 797+96 - STA. 806+67
 *BARRIER WIDTH VARIES 2' - 7'
 STA. 802+46 - STA. 803+80

PROJECT NO: 1228-22-70	HWY: IH 43	COUNTY: MILWAUKEE	TYPICAL SECTION	SHEET	E
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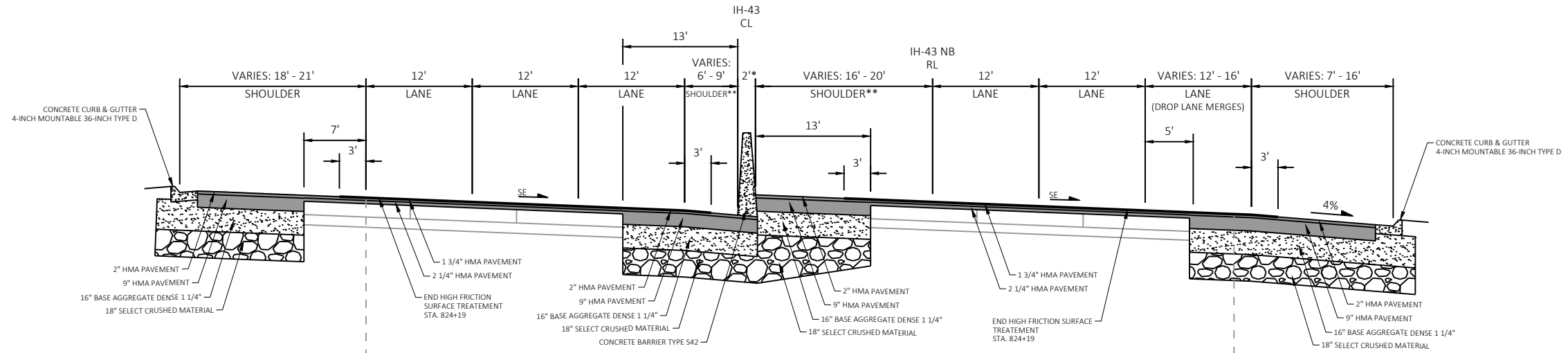
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TYPICAL PROPOSED SECTION

IH-43
STA. 806+67 - STA. 813+22

*MEDIAN BARRIER WIDTH VARIES: 2' - 6'
STA. 812+09 - STA. 812+99



TYPICAL PROPOSED SECTION

IH-43 SB
STA. 813+22 - STA. 817+74
STA. 821+00 - STA. 826+41

IH-43
STA. 813+22 - STA. 826+41

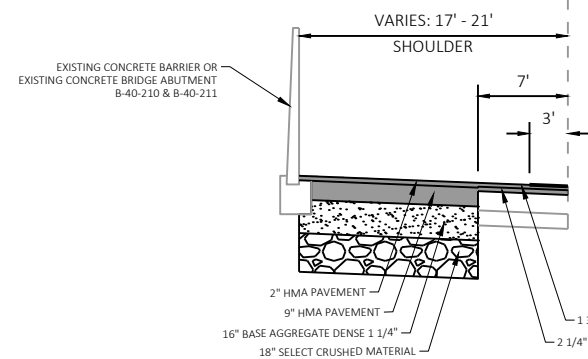
*MEDIAN BARRIER WIDTH VARIES 2' - 6'
STA. 815+19 - STA. 815+58
STA. 819+70 - STA. 820+15
STA. 823+14 - STA. 824+04

TYPICAL BARRIER WIDTH 6'
STA. 815+58 - STA. 819+70

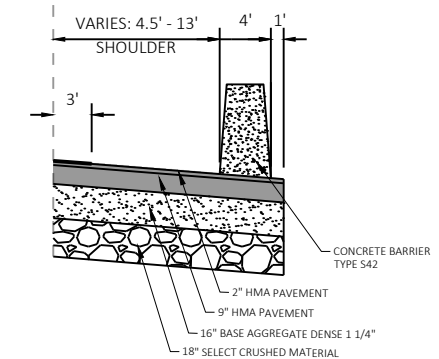
TYPICAL BARRIER WIDTH 4'
STA. 820+15 - STA. 823+14

**SHOULDER WIDTH VARIES UNDER STRUCTURES

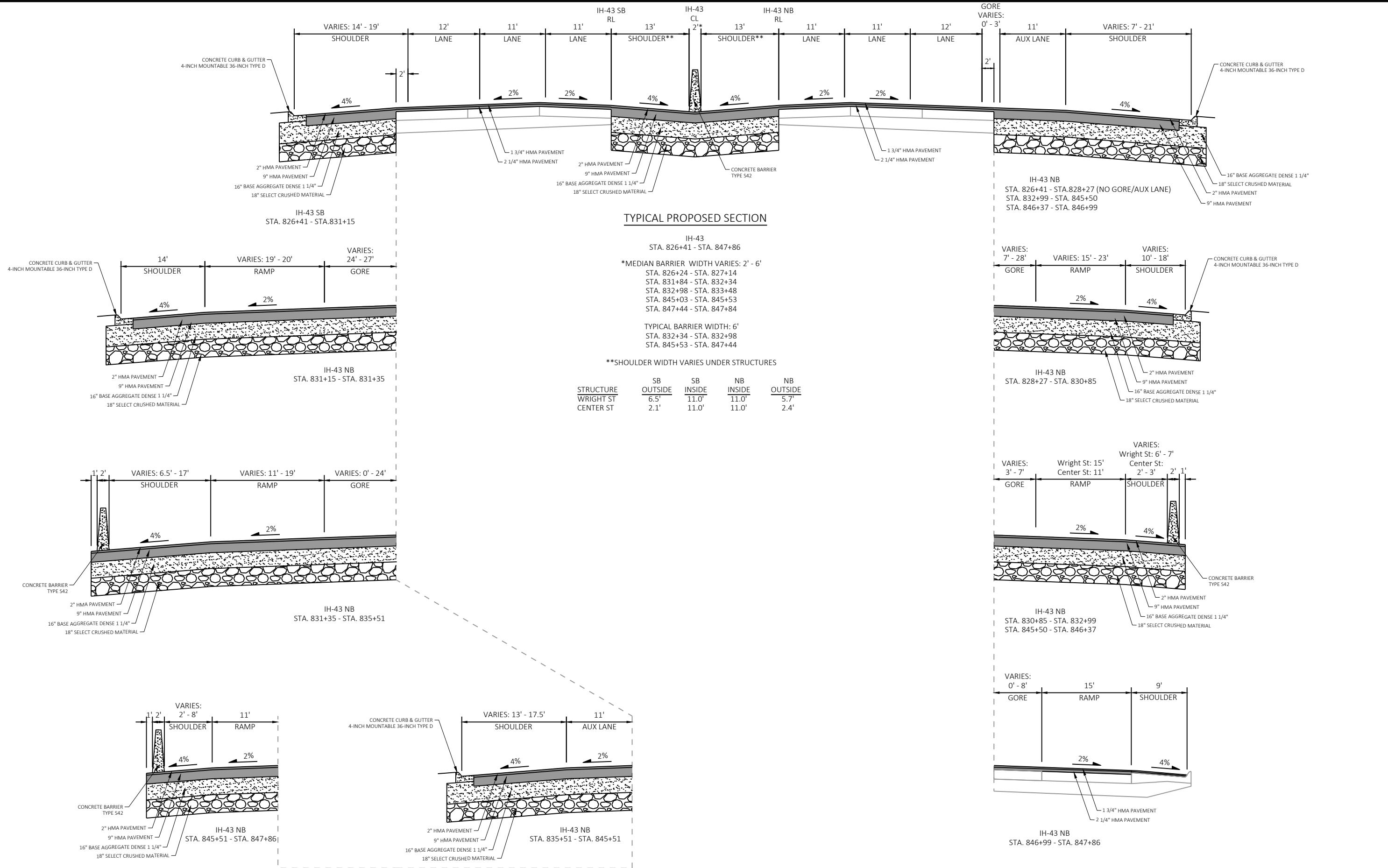
STRUCTURE	SB OUTSIDE	SB INSIDE	NB INSIDE	NB OUTSIDE
HALYARD ST	21.4'	4.0'	18.0'	10.0'
NORTH AVE	21.7'	4.0'	17.7'	4.5'



IH-43 SB
STA. 817+74 - STA. 821+00



IH-43 NB
STA. 815+53 - STA. 819+96



PROJECT NO: 1228-22-70

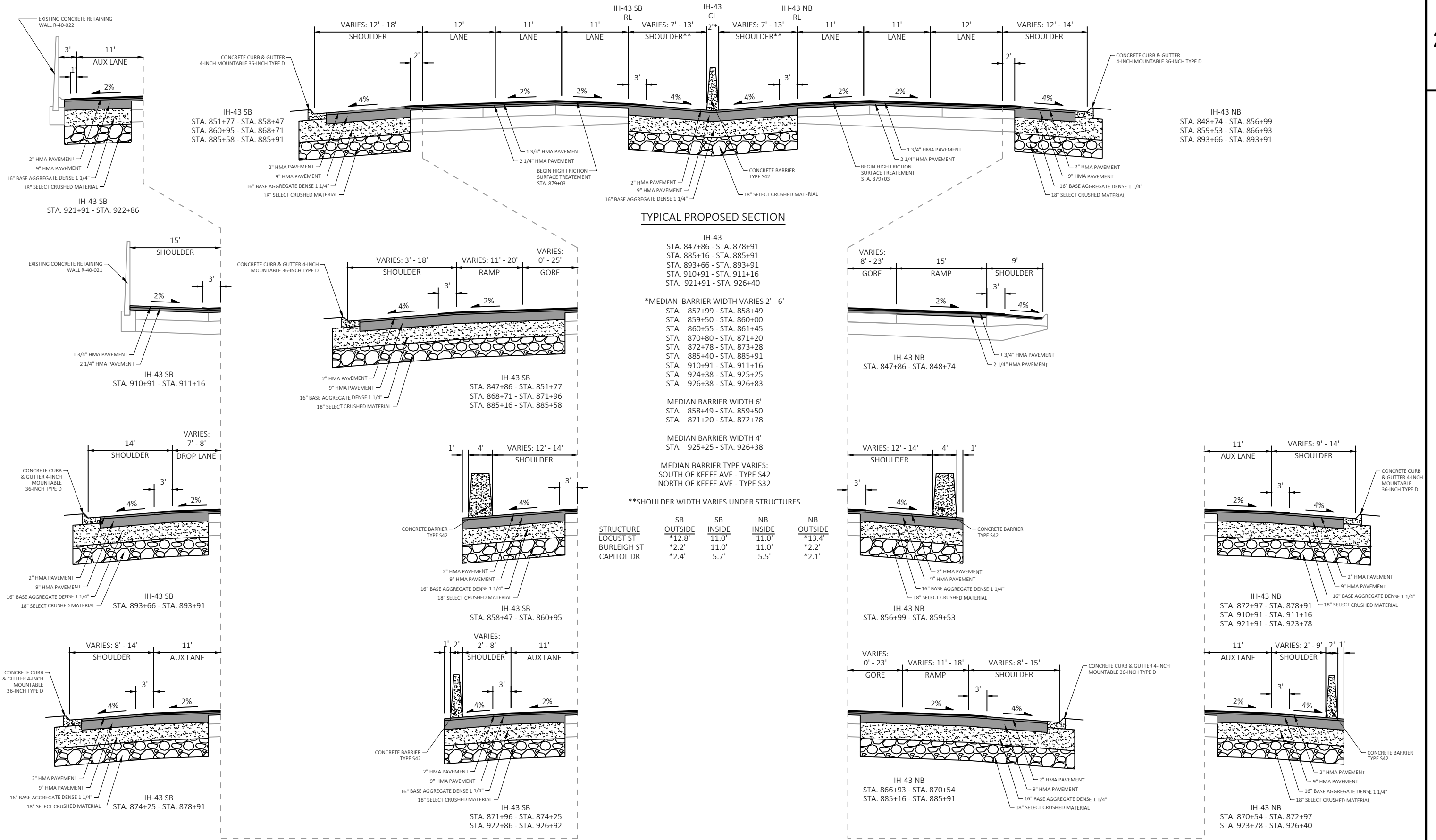
HWY: IH 43

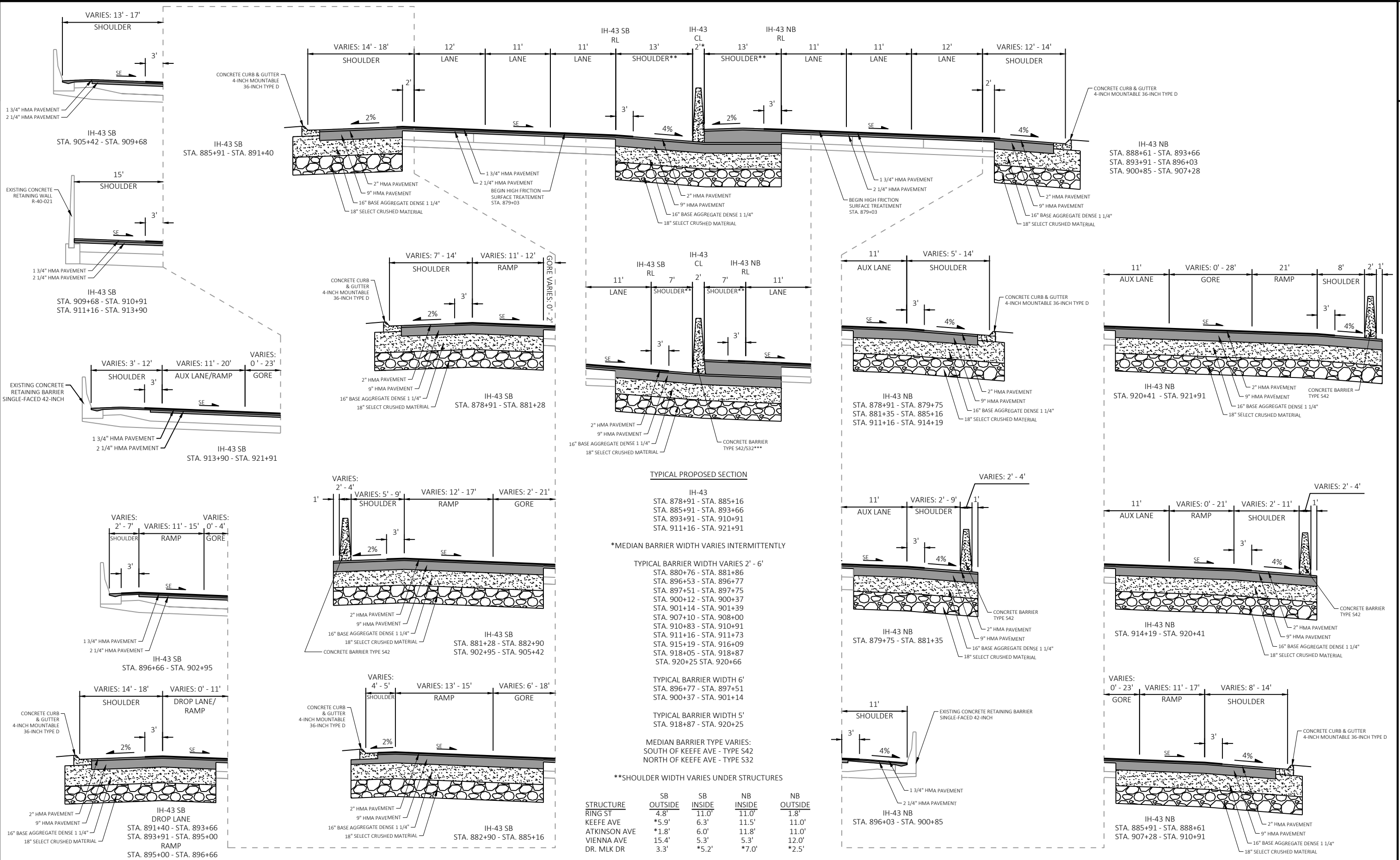
COUNTY: MILWAUKEE

TYPICAL SECTION

SHEET

E





TYPICAL PROPOSED SECTION

IH-43
 STA. 878+91 - STA. 885+16
 STA. 885+91 - STA. 893+66
 STA. 893+91 - STA. 910+91
 STA. 911+16 - STA. 921+91

*MEDIAN BARRIER WIDTH VARIES INTERMITTENTLY

TYPICAL BARRIER WIDTH VARIES 2' - 6'

STA. 880+76 - STA. 881+86
 STA. 896+53 - STA. 896+77
 STA. 897+51 - STA. 897+75
 STA. 900+12 - STA. 900+37
 STA. 901+14 - STA. 901+39
 STA. 907+10 - STA. 908+00
 STA. 910+83 - STA. 910+91
 STA. 911+16 - STA. 911+73
 STA. 915+19 - STA. 916+09
 STA. 918+05 - STA. 918+87
 STA. 920+25 STA. 920+66

TYPICAL BARRIER WIDTH 6'

STA. 896+77 - STA. 897+51

STA. 900+37 - STA. 901+14

TYPICAL BARRIER WIDTH 5'

STA. 918+87 - STA. 920+25

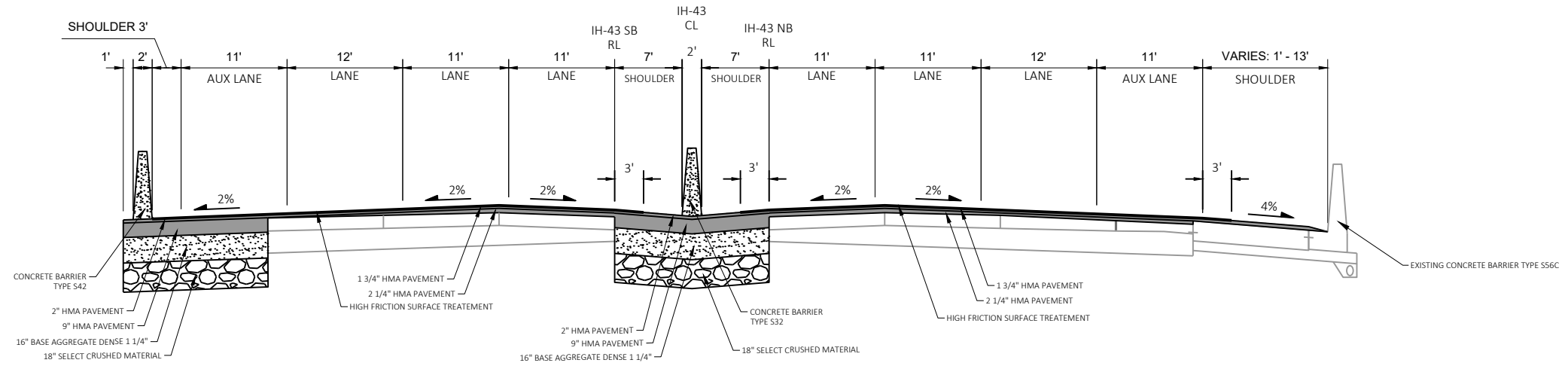
MEDIAN BARRIER TYPE VARIES:

SOUTH OF KEEFE AVE - TYPE S42

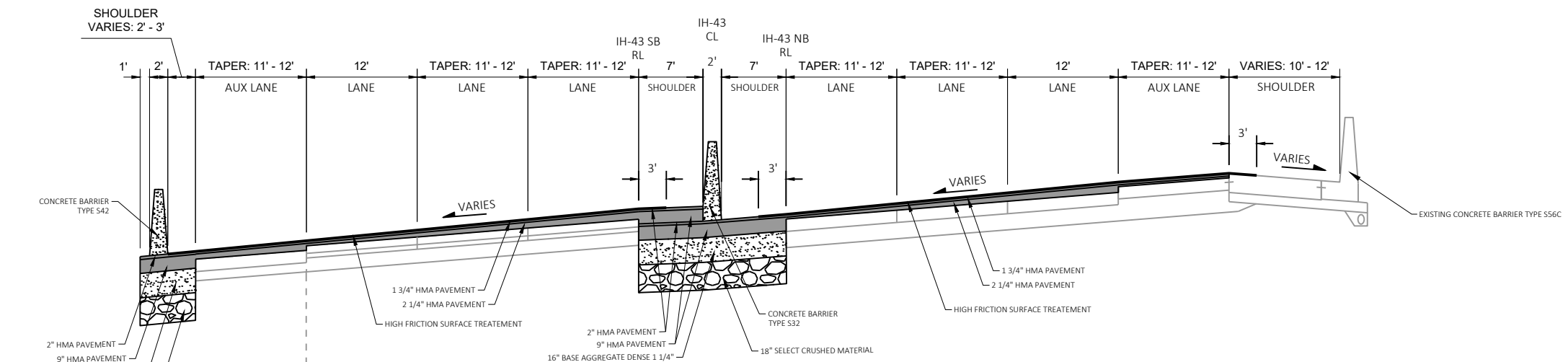
NORTH OF KEEFE AVE - TYPE S32

**SHOULDER WIDTH VARIES UNDER STRUCTURES

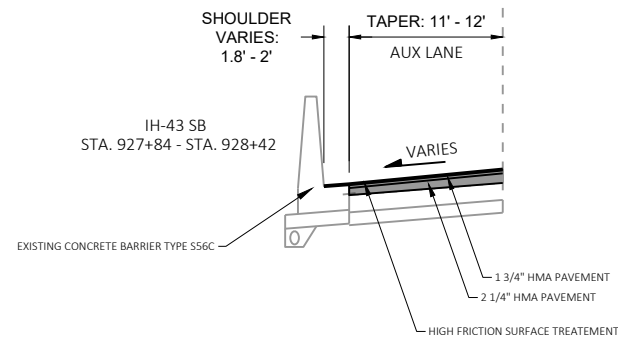
STRUCTURE	SB OUTSIDE	SB INSIDE	NB INSIDE	NB OUTSIDE
RING ST	4.8'	11.0'	11.0'	1.8'
KEEFE AVE	*5.9'	6.3'	11.5'	11.0'
ATKINSON AVE	*1.8'	6.0'	11.8'	11.0'
VIENNA AVE	15.4'	5.3'	5.3'	12.0'
DR. MLK DR	3.3'	*5.2'	*7.0'	*2.5'

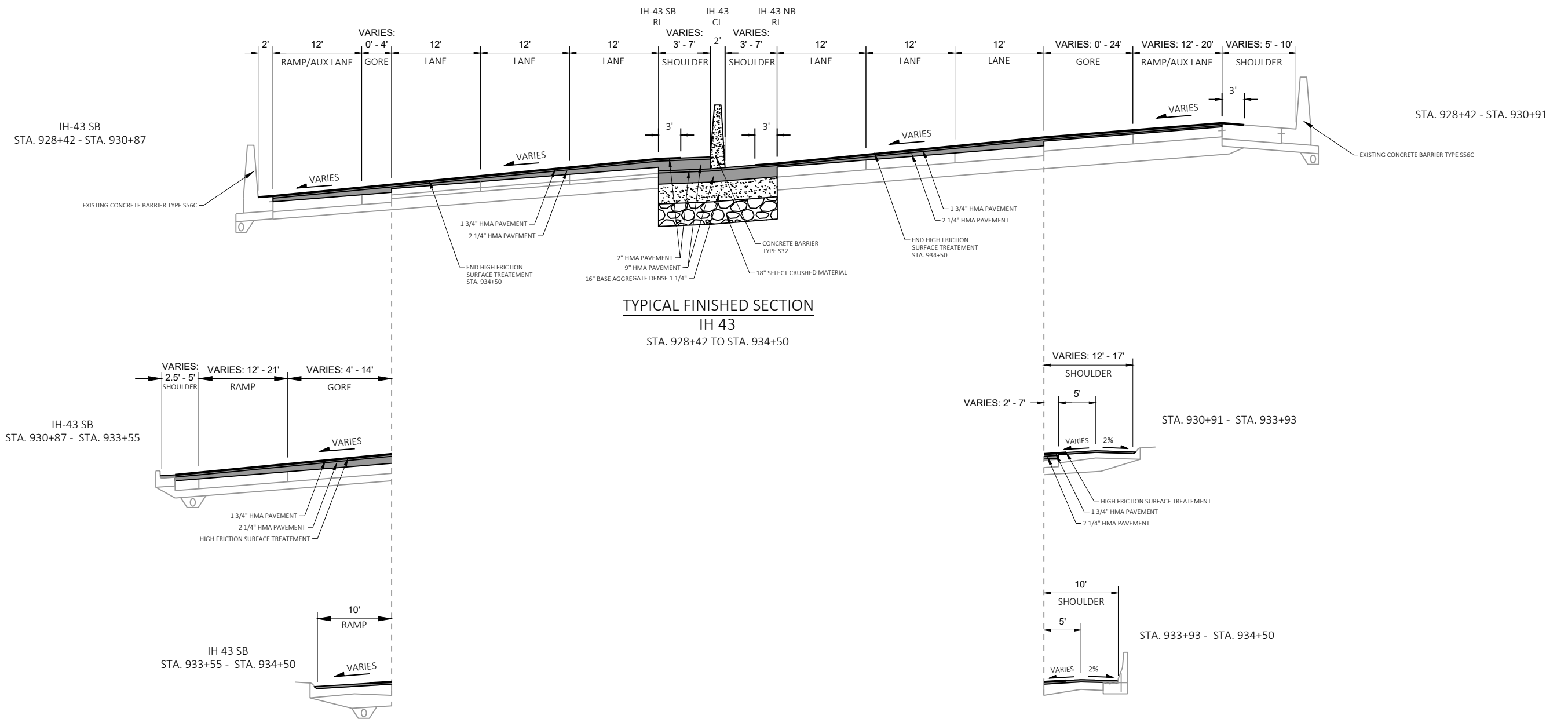


TYPICAL PROPOSED SECTION
 IH 43
 STA. 926+40 - STA. 926+87
 11' LANE TO 12' LANE WIDTH TAPER
 STA. 926+42 - STA. 928+42



TYPICAL FINISHED SECTION
 IH 43
 STA. 926+87 - STA. 928+42
 11' LANE TO 12' LANE WIDTH TAPER
 STA. 926+42 - STA. 928+42

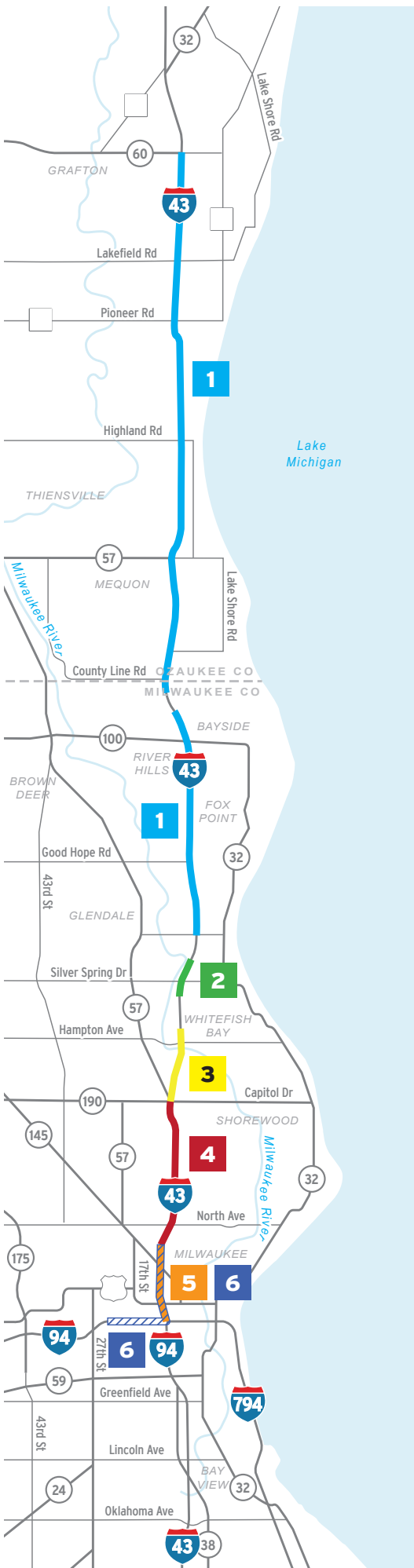




APPENDIX B-3

**OTHER I-43 STUDIES AND AREA HIGHWAY
IMPROVEMENT PROJECTS**

I-43 CORRIDOR PROJECTS



1 2021-2024 - I-43 NORTH-SOUTH FREEWAY: SILVER SPRING DRIVE to WIS 60

This project includes the expansion of I-43 from two lanes to three lanes in each direction. The project will also rebuild the five existing interchanges along the corridor and build a new interchange at Highland Road. The Union Pacific railroad bridge over I-43 in Glendale will be replaced, and a section of Port Washington Road in Glendale will be expanded from one to two lanes in each direction.

2 2020 - SILVER SPRING INTERCHANGE (Complete)

This project included maintenance of bridges, partial replacement of northbound ramp pavement, and traffic signal improvements at Hampton Avenue and Port Washington Road.

3 2021-2023 - CAPITOL DRIVE to JUST NORTH OF HAMPTON AVENUE

Rehab or replace bridges; remove bridge over abandoned railroad yard; add auxiliary lane between Capitol Drive and Hampton Avenue; remove northbound exit to westbound Hampton Avenue and move all northbound exit movements to south of Milwaukee River; replace existing noise wall; construct two stormwater ponds on existing right of way.

4 2022-2024 - BROWN STREET to CAPITOL DRIVE

This project will rehabilitate existing pavement and structures primarily within the existing footprint. Consider restriping to add driving lane, and/or consider auxiliary improvements on I-43. Operational analysis of area local roads, Halyard Street and North Avenue bridges may be separate independent project.

5 2021 - HILLSIDE INTERCHANGE (Complete)

This project includes maintenance of Kilbourn tunnel and overpassing bridges.

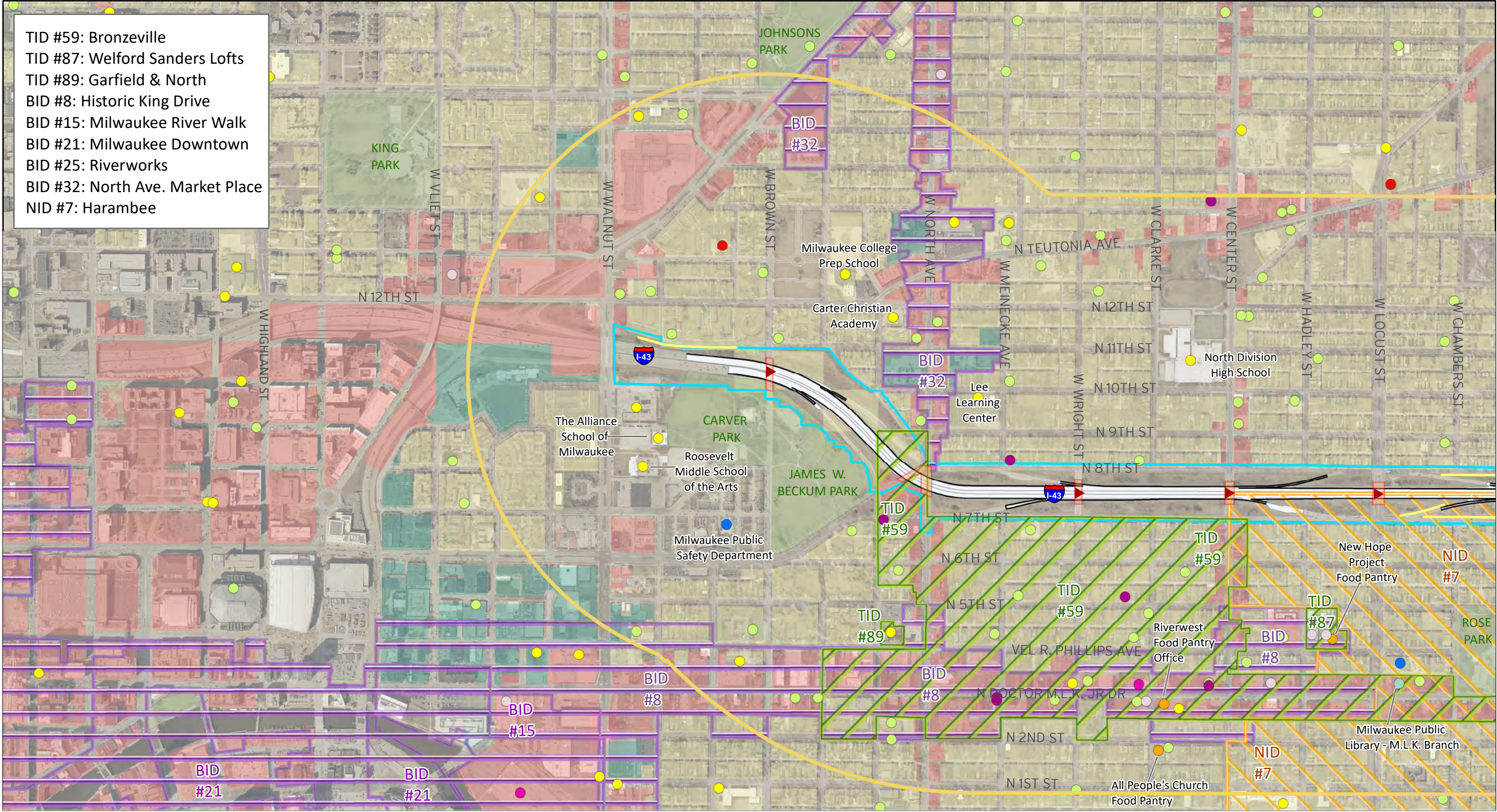
6 2020 - WEST AND NORTH LEGS of MARQUETTE INTERCHANGE (Complete)

This project included maintenance of an existing perpetual pavement project.

Additional resurfacing and rehabilitation projects may occur in this corridor.

APPENDIX C
COMMUNITY AND BUSINESS RESOURCES

- TID #59: Bronzeville
- TID #87: Welford Sanders Lofts
- TID #89: Garfield & North
- BID #8: Historic King Drive
- BID #15: Milwaukee River Walk
- BID #21: Milwaukee Downtown
- BID #25: Riverworks
- BID #32: North Ave. Market Place
- NID #7: Harambee



Legend

Project Features

- Lane Edge
- Proposed Noise Barrier
- New Pavement
- Half Mile Study Area
- Existing Right of Way
- Existing Bridge
- Rehabilitate Bridge

Districts

- Tax Incremental District (TID)
- Neighborhood Improvement District (NID)
- Business Improvement District (BID)

Land Use

- Parks
- Residential
- Commercial
- Industrial

Community Facilities

- Medical Facility
- Social Service Facility
- Child Care
- Library
- School
- Places Of Worship
- Cemetery
- Food Pantry
- Fire Department
- Law Enforcement Facility

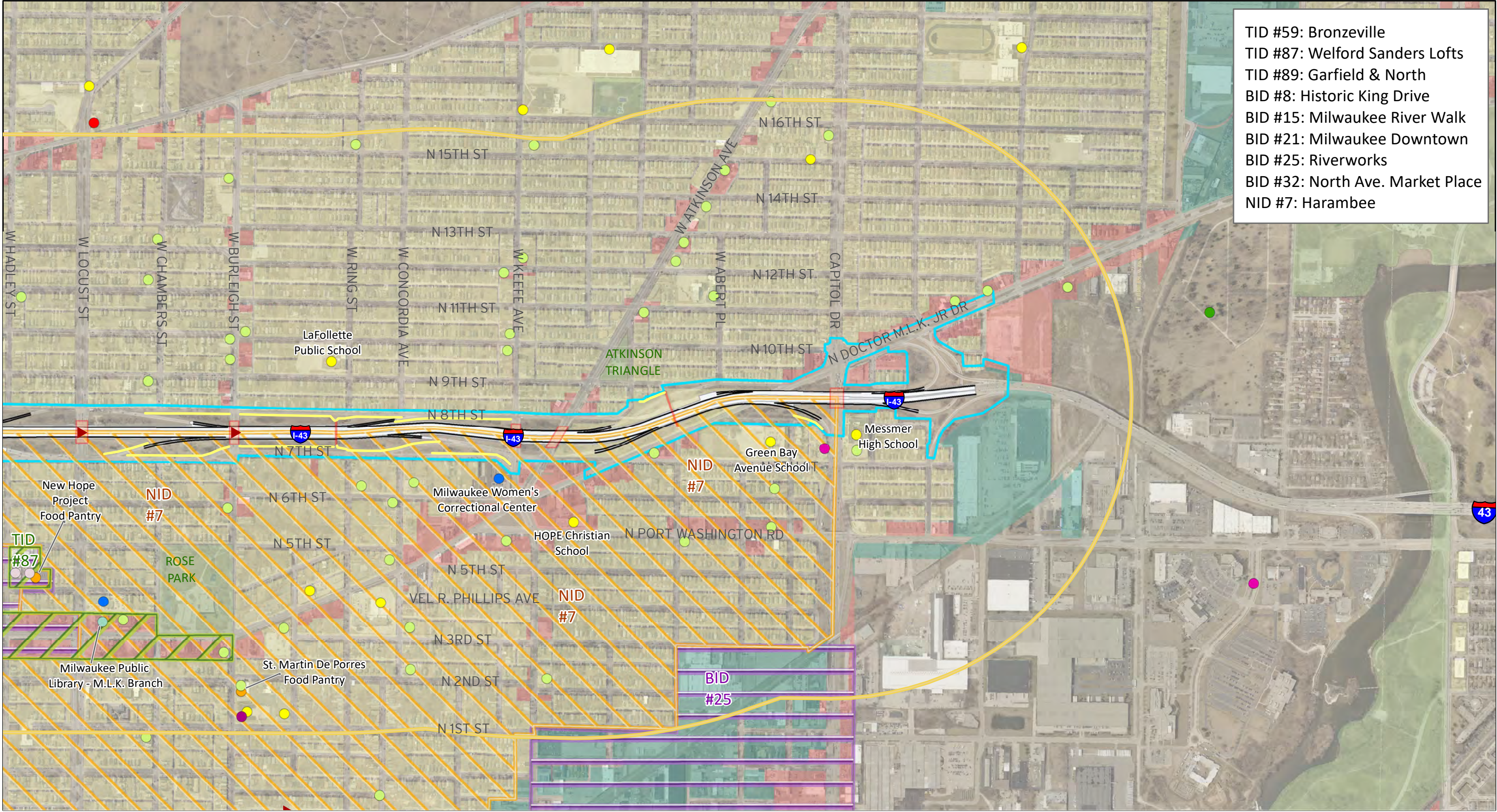
I-43 Brown Street to Capitol Drive
Community and Business Resources

Sources: City of Milwaukee, ArcGIS Online

0 200 400 600 800 1,000 Feet

1228-22-00

- TID #59: Bronzeville
- TID #87: Welford Sanders Lofts
- TID #89: Garfield & North
- BID #8: Historic King Drive
- BID #15: Milwaukee River Walk
- BID #21: Milwaukee Downtown
- BID #25: Riverworks
- BID #32: North Ave. Market Place
- NID #7: Harambee



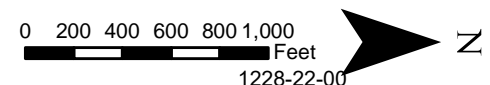
Legend

- | | | | | | | | |
|-------------------------|-----------------------|---|-------------|------------------|----------------------------|-----------------------------|-------------------|
| Project Features | | Districts | | Land Use | | Community Facilities | |
| — Lane Edge | Existing Right of Way | Tax Incremental District (TID) | Parks | Medical Facility | Places Of Worship | ● Social Service Facility | ● Cemetery |
| Proposed Noise Barrier | Existing Bridge | Neighborhood Improvement District (NID) | Residential | ● Child Care | ● Food Pantry | ● Library | ● Fire Department |
| New Pavement | Rehabilitate Bridge | Business Improvement District (BID) | Commercial | ● School | ● Law Enforcement Facility | ● School | |
| Half Mile Study Area | | | Industrial | | | | |

I-43 Brown Street to Capitol Drive

Community and Business Resources

Sources: City of Milwaukee, ArcGIS Online



APPENDIX D
CORRESPONDENCE

From: [Betzold, Kristina A - DNR](#)
To: [Ruenger, Brenda H - DOT](#)
Cc: [Caron Kloser](#); [Johansen, Amanda A - DOT](#)
Subject: RE: I-43: Brown St. to Capitol Dr., ID 1228-22-00 - NHI Update
Date: Thursday, June 2, 2022 3:39:03 PM
Attachments: [image002.png](#)
[image003.png](#)
[image001.png](#)

HI Brenda, below is what I have for the project area indicated above:

Element Occurrence Summary

Common name	Scientific name	Type	S status	F status	Group
Shrubby St. John's-wort	Hypericum prolificum	T	SC		Plant
Hairy Beardtongue	Penstemon hirsutus	T	SC		Plant
Migratory Bird Concentration Site	Migratory Bird Concentration Site	W	SC		Other~
Common Tern	Sterna hirundo	W	END	SOC	Bird~
Butler's Gartersnake	Thamnophis butleri	W	SC/H		Snake~
Elktoe	Alasmidonta marginata	A	SC/P		Mussel~
Redfin Shiner	Lythrurus umbratilis	A	THR		Fish~
Longear Sunfish	Lepomis megalotis	A	THR		Fish~
Prairie Crayfish	Procambarus gracilis	A	SC/N		Crustacean~
American Eel	Anguilla rostrata	A	SC/N		Fish~

I believe I eliminated everything here based on the scope of the project (no impacts to waterways, limited impacts to isolated wetlands) and no suitable habitat present for the plants in the roadway corridor. Common Tern (endangered) occurrence near the Mke River and was cleared that for the bridges over the river, so that would not be an issue for this project which is farther away.

We would recommend snake fencing turn arounds on the ends of silt fence, but that would only be in wetland areas and only north of West Vienna Avenue and this is a recommended action, not required.

The north side of the project is within the documented Migratory Bird Concentration site. The provision below should be included in the special provisions and would apply to the north side (north of Keefe Ave.) of the project and would include clearing of trees / shrubs as the disturbance activity and also would include disturbance of nests under any of the overpass bridges north of Keefe – so similar to the MBTA requirements, which you most likely already have in the project provisions.

A migratory bird concentration site is known to be present within the project area. Sites are used by many different species, both rare and non-rare, and while these birds may not be protected under endangered species laws, they are protected under the federal Migratory Bird Treaty Act (MBTA). It is recommended that disturbance be kept to a minimum during the spring and fall migration seasons (March 15 – May 31 and August 1 – October 31).

If there are any other questions on this or a need to discuss, please reach out. Thanks!

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Kristina Betzold
Environmental Analysis and Review Specialist
Wisconsin Department of Natural Resources
Phone: (414) 343-9346
kristina.betzold@wi.gov



From: Ruenger, Brenda H - DOT <Brenda.Ruenger@dot.wi.gov>
Sent: Thursday, June 2, 2022 2:03 PM
To: Betzold, Kristina A - DNR <Kristina.Betzold@wisconsin.gov>
Cc: CKloser@HNTB. com (CKloser@HNTB.com) <CKloser@HNTB.com>; Johansen, Amanda A - DOT <Amanda.Johansen@dot.wi.gov>
Subject: I-43: Brown St. to Capitol Dr., ID 1228-22-00 - NHI Update
Importance: High

Hi Kristina,

Would you be able to do a quick NHI update for us on this project? Your IRL is from September 2020, over the one-year expiration date. We are working toward finalizing our ER and want to make sure we have state-listed T&ES covered. Attached is IRL for your reference.

Thank you,

Brenda Ruenger, Plg

Environmental Analysis and Review Specialist-Adv./Environmental Coordinator
Wisconsin Department of Transportation - DTSD Southeast Region
262-548-6709





September 29, 2020

Josh LeVeque
WisDOT SE Region
141 NW Barstow Street
Waukesha, WI

Subject: DNR Initian Review
WisDOT Project ID 1228-22-00/70
IH 43 North South Freeway
Brown Street to Capitol Drive
Milwaukee County

Dear Josh,

Thank you for the information regarding the projects referenced above. The proposed improvement work consist of resurfacing of I43 from Brown Street to Capitol Drive to address deficiencies. The proposed work includes milling and overlaying the existing pavement (mainline and ramps), along with auxiliary lane and parallel ramp improvements as shown on the attached project overview.

Based on the information provided to the Wisconsin Department of Natural Resources (DNR), the project(s) will have no significant environmental impacts. DNR has determined that the water quality, floodplain and wetland protection objectives of the DNR/DOT (Wisconsin Department of Transportation) Cooperative Agreement will be met for the design of these projects. The DNR has evaluated this proposal and has determined that this activity will be conducted in a manner which is consistent with the standards contained in chapters NR 103 and NR 299, Wis. Adm. Code, and Section 401, under the Federal Clean Water Act.

Should the scope of the project change, consultation with the DNR must be reinitiated. Final concurrence for this project will be processed with the Transportation Construction General Permit (TCGP) application. Any additional project related work proposed under the Erosion Control Implementation Plan (ECIP) will be evaluated by DNR within 14 days for sensitive resources, potential impacts to the environment, and erosion and sediment control. Those proposed activities shown to be in compliance with Ch. 283, Wis. Stats can be added to the project as an amendment. DNR understands that project construction will be in conformance with this review letter, previous coordination, the DNR/DOT Cooperative Agreement, and the following:

A. Project-Specific Resource Concerns

Wetlands and Water Resources:

No wetlands, waterways or floodplain will be impacted by this project, based on the information provided.

Endangered Resources:

Endangered Resources and suitable habitat are present within the vicinity of the project, but based on the scope of work, the project as proposed will have **no significant effect** on these resources.

With this review the following has also been determined:

- There are no known Northern Long-eared Bat (NLEB) maternity roost trees within 150 feet of the project or known hibernacula within 0.25 miles of the proposed project area.
- This project may be within a High Potential Zones (HPZ) for the Rusty Patched Bumblebee (RPBB), and additional coordination will be needed for potential impacts to this federally endangered species habitat. For more information on this federally listed species, please visit:
<https://www.fws.gov/midwest/endangered/insects/rpbb/rpbbmap.html>

B. Project Specific Construction Site Considerations

The following issues should be addressed in the Special Provisions, and the contractor will be required to outline their construction methods in the Erosion Control Implementation Plan (ECIP). An adequate ECIP for the project must be developed and submitted to this office for review at least 14 days prior to the preconstruction conference. Erosion control and stormwater measures must adhere to the DNR/DOT Cooperative Agreement, Trans 401, and applicable federal laws.

Storm Water Management & Erosion Control:

- For projects disturbing an acre or more of land (cumulative for each project), erosion control and storm water measures must adhere to the Wisconsin Pollutant Discharge Elimination System Transportation Construction General Permit (TCGP) for Storm Water Discharges. Coverage under TCGP is required prior to construction. DOT should apply for permit coverage just before the project goes to final PS&E. Permit coverage will be issued by the DNR after design is complete and documentation shows that the project will meet construction and post-construction performance standards. For more information regarding the TCGP you can go to the following link, and click on the “Transportation” tab:
<https://dnr.wi.gov/topic/Sectors/Transportation.html>.
- All projects require an Erosion Control Plan (ECP) that describes best management practices that will be implemented before, during and after construction to minimize pollution from storm water discharges. Additionally, the plan should address how post-construction storm water performance standards will be met for the specific site. The project design and Erosion Control Implementation Plan (ECIP) must comply with the TCGP in order to receive permit-coverage from the DNR.
- Once the project contract has been awarded, the contractor will be required to outline their construction methods in the ECIP. An adequate ECIP for the project must be developed by the contractor and submitted to this office for review at least 14 days prior to the preconstruction conference. For projects regulated under the TCGP, submit the ECIP as an amendment to the ECP.

Selected Site & Commercial Non-Metallic Mines:

- The DOT Select Site process must be adhered to for clean fill or any other material that leaves the work site. The DNR liaison will review all proposed select sites and a site visit may be required. Filling of wetlands, waterways or floodplain is not allowed under the select site process, unless the site owner obtains required permits. No new impermeable surfaces can be left at a select site (including gravel roads or pads), unless the site owner obtains required permits. Contaminated materials leaving the site need to adhere to the Hazardous Material Management Plan.
- Use of Commercial Non-Metallic Mines must accompany documentation that such mines have received all applicable local, state and federal permits before being used on the project, including local non-metallic mining reclamation permits and applicable WPDES permits as issued by the DNR.

Invasive Species and Viral Hemorrhagic Septicemia (VHS):

All project equipment shall be decontaminated for removal of invasive species prior to and after each use on the project site by utilizing other best management practices to avoid the spread of invasive species as outlined in NR 40, Wis. Adm. Code. For more information, refer to <http://dnr.wi.gov/topic/Invasives/bmp.html>.

Emerald Ash Borer: This project has the potential for spreading the Emerald Ash Borer (EAB) beetle. It is illegal to move or transport ash material, the emerald ash borer, and hardwood debris (i.e. firewood) from EAB quarantined areas to a non-quarantined area without a compliance agreement issued by WI Department of Agriculture, Trade and Consumer Protection. Regulated items include cut hardwood (non-coniferous) firewood, ash logs, ash mulch or bark fragments larger than one inch in diameter, or ash nursery stock (DATCP statute 21).

- For more information regarding the EAB and quarantine areas please click on the following link:
<http://datcpservices.wisconsin.gov/eab/article.jsp?topicid=20>
- Recommendations to reduce the spread of EAB in potentially infested Ash wood:
<http://datcpservices.wisconsin.gov/eab/articleassets/Recommendations%20to%20reduce%20the%20spread%20of%20EAB.pdf>

If the projects should change from what is currently proposed or other environmental issues arise please contact this office for additional review and concurrence. If you have any questions please contact me by phone at (414)507-4946 or by email at kristina.betzold@wisconsin.gov.

Sincerely,



Environmental Analysis & Review Specialist



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Minnesota-Wisconsin Ecological Services Field Office

4101 American Blvd E

Bloomington, MN 55425-1665

Phone: (952) 252-0092 Fax: (952) 646-2873

<http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html>

In Reply Refer To:

March 01, 2022

Project Code: 2022-0014261

Project Name: Project ID 1228-22-70, IH 43 North South Freeway, Brown Street to Capitol Drive

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

This response has been generated by the Information, Planning, and Conservation (IPaC) system to provide information on natural resources that could be affected by your project. The U.S. Fish and Wildlife Service (Service) provides this response under the authority of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), the Migratory Bird Treaty Act (16 U.S.C. 703-712), and the Fish and Wildlife Coordination Act (16 U.S.C. 661 *et seq.*).

Threatened and Endangered Species

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and may be affected by your proposed project. The species list fulfills the requirement for obtaining a Technical Assistance Letter from the U.S. Fish and Wildlife Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the ECOS IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS IPaC system by completing the same process used to receive the enclosed list.

Consultation Technical Assistance

Please refer to the Midwest Region [S7 Technical Assistance](#) website for step-by-step instructions

for making species determinations and for specific guidance on the following types of projects: projects in developed areas, HUD, CDBG, EDA, pipelines, buried utilities, telecommunications, and requests for a Conditional Letter of Map Revision (CLOMR) from FEMA.

Using the IPaC Official Species List to Make No Effect and May Affect Determinations for Listed Species

If IPaC returns a result of “There are no listed species found within the vicinity of the project,” then project proponents can conclude the proposed activities will have **no effect** on any federally listed species under Service jurisdiction. Concurrence from the Service is not required for **No Effect** determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records. An example ["No Effect" document](#) also can be found on the S7 Technical Assistance website.

1. If IPaC returns one or more federally listed, proposed, or candidate species as potentially present in the action area of the proposed project – other than bats (see below) – then project proponents must determine if proposed activities will have **no effect** on or **may affect** those species. For assistance in determining if suitable habitat for listed, candidate, or proposed species occurs within your project area or if species may be affected by project activities, you can obtain [Life History Information for Listed and Candidate Species](#) through the S7 Technical Assistance website. If no impacts will occur to a species on the IPaC species list (e.g., there is no habitat present in the project area), the appropriate determination is **No Effect**. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records. An example ["No Effect" document](#) also can be found on the S7 Technical Assistance website.
2. Should you determine that project activities **may affect** any federally listed, please contact our office for further coordination. Letters with requests for consultation or correspondence about your project should include the Consultation Tracking Number in the header. Electronic submission is preferred.

Northern Long-Eared Bats

Northern long-eared bats occur throughout Minnesota and Wisconsin and the information below may help in determining if your project may affect these species.

This species hibernates in caves or mines only during the winter. In Minnesota and Wisconsin, the hibernation season is considered to be November 1 to March 31. During the active season (April 1 to October 31) they roost in forest and woodland habitats. Suitable summer habitat for northern long-eared bats consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥ 3 inches dbh for northern long-eared bat that have exfoliating bark, cracks, crevices, and/or hollows), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) of forested/wooded habitat. Northern long-eared bats have also been observed roosting in human-made structures,

such as buildings, barns, bridges, and bat houses; therefore, these structures should also be considered potential summer habitat and evaluated for use by bats. If your project will impact caves or mines or will involve clearing forest or woodland habitat containing suitable roosting habitat, northern long-eared bats could be affected.

Examples of unsuitable habitat include:

- Individual trees that are greater than 1,000 feet from forested or wooded areas,
- Trees found in highly developed urban areas (e.g., street trees, downtown areas),
- A pure stand of less than 3-inch dbh trees that are not mixed with larger trees, and
- A stand of eastern red cedar shrubby vegetation with no potential roost trees.

If IPaC returns a result that northern long-eared bats are potentially present in the action area of the proposed project, project proponents can conclude the proposed activities **may affect** this species **IF** one or more of the following activities are proposed:

- Clearing or disturbing suitable roosting habitat, as defined above, at any time of year,
- Any activity in or near the entrance to a cave or mine,
- Mining, deep excavation, or underground work within 0.25 miles of a cave or mine,
- Construction of one or more wind turbines, or
- Demolition or reconstruction of human-made structures that are known to be used by bats based on observations of roosting bats, bats emerging at dusk, or guano deposits or stains.

If none of the above activities are proposed, project proponents can conclude the proposed activities will have **no effect** on the northern long-eared bat. Concurrence from the Service is not required for **No Effect** determinations. No further consultation or coordination is required.

Attach this letter to the dated IPaC species list report for your records. An example "[No Effect" document](#)" also can be found on the S7 Technical Assistance website.

If any of the above activities are proposed, please use the northern long-eared bat determination key in IPaC. This tool streamlines consultation under the 2016 rangewide programmatic biological opinion for the 4(d) rule. The key helps to determine if prohibited take might occur and, if not, will generate an automated verification letter. No further review by us is necessary. Please visit the links below for additional information about "may affect" determinations for the northern long-eared bat.

[NLEB Section 7 consultation](#)

[Key to the NLEB 4\(d\) rule for federal actions that may affect](#)

[Instructions for the NLEB 4\(d\) assisted d-key](#)

[Maternity tree and hibernaculum locations by state](#)

Other Trust Resources and Activities

Bald and Golden Eagles - Although the bald eagle has been removed from the endangered species list, this species and the golden eagle are protected by the Bald and Golden Eagle Act and the Migratory Bird Treaty Act. Should bald or golden eagles occur within or near the project area please contact our office for further coordination. For communication and wind energy projects, please refer to additional guidelines below.

Migratory Birds - The Migratory Bird Treaty Act (MBTA) prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Service. The Service has the responsibility under the MBTA to proactively prevent the mortality of migratory birds whenever possible and we encourage implementation of recommendations that minimize potential impacts to migratory birds. Such measures include clearing forested habitat outside the nesting season (generally March 1 to August 31) or conducting nest surveys prior to clearing to avoid injury to eggs or nestlings.

Communication Towers - Construction of new communications towers (including radio, television, cellular, and microwave) creates a potentially significant impact on migratory birds, especially some 350 species of night-migrating birds. However, the Service has developed [voluntary guidelines for minimizing impacts](#).

Transmission Lines - Migratory birds, especially large species with long wingspans, heavy bodies, and poor maneuverability can also collide with power lines. In addition, mortality can occur when birds, particularly hawks, eagles, kites, falcons, and owls, attempt to perch on uninsulated or unguarded power poles. To minimize these risks, please refer to [guidelines](#) developed by the Avian Power Line Interaction Committee and the Service. Implementation of these measures is especially important along sections of lines adjacent to wetlands or other areas that support large numbers of raptors and migratory birds.

Wind Energy - To minimize impacts to migratory birds and bats, wind energy projects should follow the Service's [Wind Energy Guidelines](#). In addition, please refer to the Service's [Eagle Conservation Plan Guidance](#), which provides guidance for conserving bald and golden eagles in the course of siting, constructing, and operating wind energy facilities.

State Department of Natural Resources Coordination

While it is not required for your Federal section 7 consultation, please note that additional state endangered or threatened species may also have the potential to be impacted. Please contact the Minnesota or Wisconsin Department of Natural Resources for information on state listed species that may be present in your proposed project area.

Minnesota

[Minnesota Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: Review.NHIS@state.mn.us

Wisconsin

[Wisconsin Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: DNREReview@wi.gov

We appreciate your concern for threatened and endangered species. Please feel free to contact our office with questions or for additional information.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Migratory Birds
- Wetlands

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Minnesota-Wisconsin Ecological Services Field Office

4101 American Blvd E

Bloomington, MN 55425-1665

(952) 252-0092

Project Summary

Project Code: 2022-0014261

Event Code: None

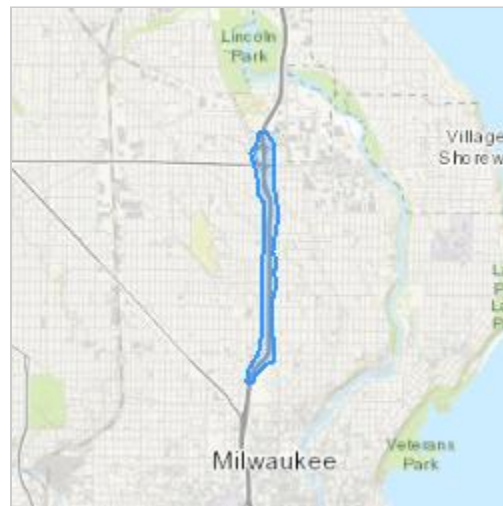
Project Name: Project ID 1228-22-70, IH 43 North South Freeway, Brown Street to Capitol Drive

Project Type: Road/Hwy - Maintenance/Modification

Project Description: I-43 rehabilitation project from Brown Street to Capitol Drive

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.07483960492117,-87.92067431974783,14z>



Counties: Milwaukee County, Wisconsin

Endangered Species Act Species

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Birds

NAME	STATUS
Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate
Rusty Patched Bumble Bee <i>Bombus affinis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9383 General project design guidelines: https://ipac.ecosphere.fws.gov/project/KKHOVBPCPZFPHC4NXFT6OR3DIE/documents/generated/5967.pdf	Endangered

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
American Golden-plover <i>Pluvialis dominica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31

NAME	BREEDING SEASON
Black Tern <i>Chlidonias niger</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3093	Breeds May 15 to Aug 20
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 20 to Jul 31
Canada Warbler <i>Cardellina canadensis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 20 to Aug 10
Cerulean Warbler <i>Dendroica cerulea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/2974	Breeds Apr 22 to Jul 20
Eastern Whip-poor-will <i>Antrostomus vociferus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Aug 20
Golden-winged Warbler <i>Vermivora chrysoptera</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8745	Breeds May 1 to Jul 20
Henslow's Sparrow <i>Ammodramus henslowii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3941	Breeds May 1 to Aug 31
Le Conte's Sparrow <i>Ammodramus leconteii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Jun 1 to Aug 15
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Long-eared Owl <i>asio otus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3631	Breeds Mar 1 to Jul 15

NAME	BREEDING SEASON
Marbled Godwit <i>Limosa fedoa</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9481	Breeds May 1 to Jul 31
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10
Ruddy Turnstone <i>Arenaria interpres morinella</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds elsewhere
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds elsewhere
Short-billed Dowitcher <i>Limnodromus griseus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9480	Breeds elsewhere
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Aug 31

Probability Of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

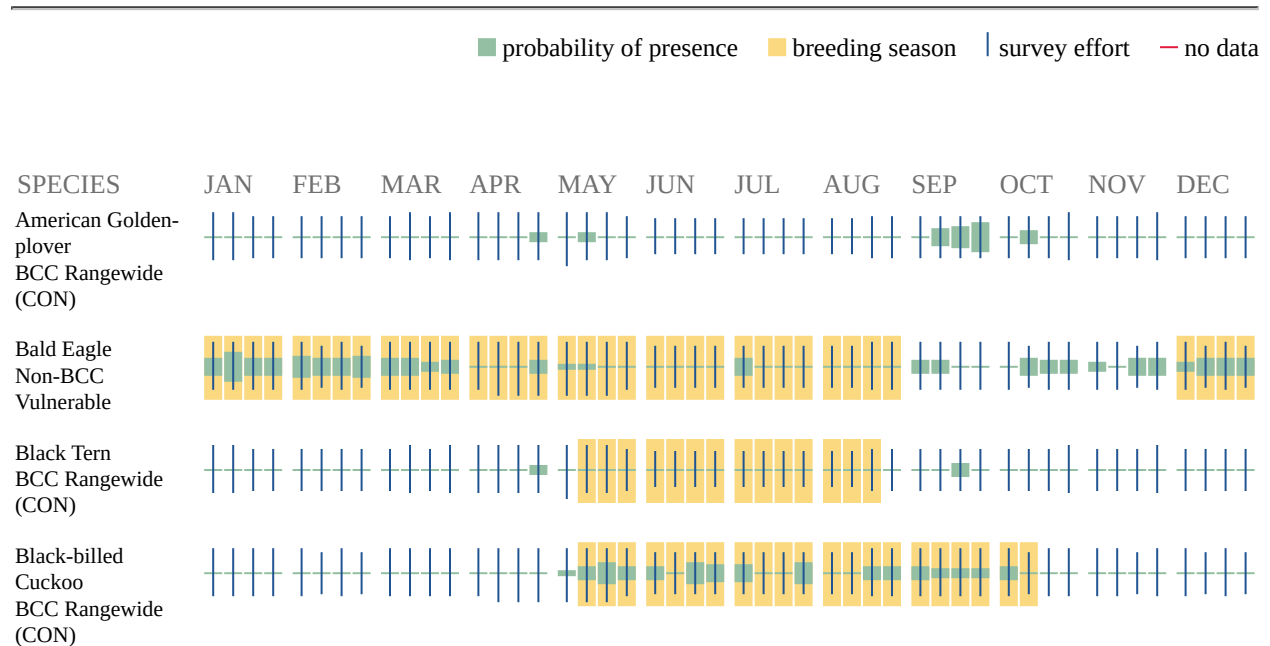
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

No Data (-)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.





Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

Migratory Birds FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER EMERGENT WETLAND

- [PEM1C](#)

IPaC User Contact Information

Agency: Wisconsin Department of Transportation

Name: Steven Ring

Address: 141 NW Barstow St

City: Waukesha

State: WI

Zip: 53187

Email: steven.ring@dot.wi.gov

Phone: 2625486898



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Green Bay Ecological Services Field Office
2661 Scott Tower Drive
New Franken, WI 54229-9565
Phone: (920) 866-1717 Fax: (920) 866-1710

IPaC Record Locator: 119-22955461

August 11, 2020

Subject: Consistency letter for the 'Project ID 1228-22-70, IH 43 North South Freeway, Brown Street to Capitol Drive' project (TAILS 03E17000-2020-R-1869) under the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request to verify that the **Project ID 1228-22-70, IH 43 North South Freeway, Brown Street to Capitol Drive** (Proposed Action) may rely on the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 *et seq.*).

Based on the information you provided (Project Description shown below), you have determined that the Proposed Action will have no effect on the endangered Indiana bat (*Myotis sodalis*) or the threatened Northern long-eared bat (*Myotis septentrionalis*). If the Proposed Action is not modified, **no consultation is required for these two species.**

For Proposed Actions that include bridge/structure removal, replacement, and/or maintenance activities: If your initial bridge/structure assessments failed to detect Indiana bats, but you later detect bats during construction, please submit the Post Assessment Discovery of Bats at Bridge/Structure Form (User Guide Appendix E) to this Service Office. In these instances, potential incidental take of Indiana bats may be exempted provided that the take is reported to the Service.

If the Proposed Action may affect any other federally-listed or proposed species and/or designated critical habitat, additional consultation between the lead Federal action agency and this Service Office is required. If the proposed action has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please advise the lead Federal action agency accordingly.

The following species may occur in your project area and **are not** covered by this determination:

- Red Knot, *Calidris canutus rufa* (Threatened)

Project Description

The following project name and description was collected in IPaC as part of the endangered species review process.

Name

Project ID 1228-22-70, IH 43 North South Freeway, Brown Street to Capitol Drive

Description

I-43 rehabilitation project from Brown Street to Capitol Drive

Determination Key Result

Based on the information you provided, you have determined that the Proposed Action will have no effect on the endangered Indiana bat and/or the threatened Northern long-eared bat. Therefore, no consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required for these two species.

Qualification Interview

1. Is the project within the range of the Indiana bat^[1]?

[1] See [Indiana bat species profile](#)

Automatically answered

No

2. Is the project within the range of the Northern long-eared bat^[1]?

[1] See [Northern long-eared bat species profile](#)

Automatically answered

Yes

3. Which Federal Agency is the lead for the action?

A) Federal Highway Administration (FHWA)

4. Are *all* project activities limited to non-construction^[1] activities only? (examples of non-construction activities include: bridge/abandoned structure assessments, surveys, planning and technical studies, property inspections, and property sales)

[1] Construction refers to activities involving ground disturbance, percussive noise, and/or lighting.

No

5. Does the project include *any* activities that are **greater than** 300 feet from existing road/rail surfaces^[1]?

[1] Road surface is defined as the actively used [e.g. motorized vehicles] driving surface and shoulders [may be pavement, gravel, etc.] and rail surface is defined as the edge of the actively used rail ballast.

No

6. Does the project include *any* activities **within** 0.5 miles of a known Indiana bat and/or NLEB hibernaculum^[1]?

[1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

No

7. Is the project located **within** a karst area?

No

8. Is there *any* suitable^[1] summer habitat for Indiana Bat or NLEB **within** the project action area^[2]? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

[2] The action area is defined as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR Section 402.02). Further clarification is provided by the [national consultation FAQs](#).

No

9. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?

No

10. Does the project include slash pile burning?

No

11. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?

Yes

12. Is there *any* suitable habitat^[1] for Indiana bat or NLEB **within** 1,000 feet of the bridge? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's current [summer survey guidance](#) for our current definitions of suitable habitat.

No

13. Does the project include the removal, replacement, and/or maintenance of *any* structure other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)

No

14. Will the project involve the use of **temporary** lighting *during* the active season?

No

15. Will the project install new or replace existing **permanent** lighting?

Yes

16. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **permanent** lighting will be installed or replaced?

No

17. Does the project include percussives or other activities (**not including tree removal/trimming or bridge/structure work**) that will increase noise levels above existing traffic/background levels?

No

18. Are *all* project activities that are **not associated with** habitat removal, tree removal/trimming, bridge and/or structure activities, temporary or permanent lighting, or use of percussives, limited to actions that DO NOT cause any additional stressors to the bat species?

Examples: lining roadways, unlighted signage, rail road crossing signals, signal lighting, and minor road repair such as asphalt fill of potholes, etc.

Yes

19. Will the project raise the road profile **above the tree canopy**?

No

20. Is the location of this project consistent with a No Effect determination in this key?

Automatically answered

Yes, because the project action area is not within suitable Indiana bat and/or NLEB summer habitat and is outside of 0.5 miles of a hibernaculum.

21. Is the bridge removal, replacement, or maintenance activities portion of this project consistent with a No Effect determination in this key?

Automatically answered

Yes, because the bridge is more than 1,000 feet from the nearest suitable habitat and is therefore considered unsuitable for use by bats

22. Is the permanent lighting portion of this project consistent with a No Effect determination in this key?

Automatically answered

Yes, because the lighting will be more than 1,000 feet from the nearest suitable habitat

Determination Key Description: FHWA, FRA, FTA Programmatic Consultation For Transportation Projects Affecting NLEB Or Indiana Bat

This key was last updated in IPaC on December 02, 2019. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which may require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) for the endangered **Indiana bat** (*Myotis sodalis*) and the threatened **Northern long-eared bat** (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's [February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects](#). The programmatic biological opinion covers limited transportation activities that may affect either bat species, and addresses situations that are both likely and not likely to adversely affect either bat species. This decision key will assist in identifying the effect of a specific project/activity and applicability of the programmatic consultation. The programmatic biological opinion is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic biological opinion, or that may affect ESA-listed species other than the Indiana bat or NLEB, or any designated critical habitat, may require additional ESA Section 7 consultation.



September 21, 2021

Mr. Bryan Bergmann
TRC Environmental Corporation
6737 West Washington Street, Suite 2100
West Allis, WI 53214

Subject: DNR Concurrence for Excavation Management Plan
I-43 from West Brown Street to West Capitol Drive
Milwaukee County, Wisconsin
Landfill Disposal of Contaminated Soil
WisDOT Project ID No. 1228-22-01

Dear Mr. Bergmann:

The Wisconsin Department of Natural Resources (DNR) reviewed the Excavation Management Plan for the Subject reconstruction project. The DNR understands that the Wisconsin Department of Transportation (WisDOT) is reconstructing I-43 from West Brown Street to West Capitol Drive in the City of Milwaukee, Milwaukee County. The project will consist of a mill and overlay, with various bridge structure improvements and excavation of embankment to widen I-43. This *Concurrence* letter provides approval for the landfill disposal of contaminated soil within specific areas of the project.

Landfill of Petroleum Contaminated Soil

Laboratory analytical testing of soil provided in the Phase 2.5 Investigation Report identified petroleum contaminated soil. The DNR concurs that the soil be appropriately field screened, segregated and managed, and transported to a DNR-licensed solid waste landfill for disposal. The specific landfill areas are:

- Station 844+70 to 845+15, from 85 feet to 135 feet left of reference line, from approximately 12 to 18 feet below grade. Approximately 0 cubic yards or 0 tons of contaminated soil will be excavated from this location. Groundwater at this location may be contaminated with petroleum.
- Station 845+15 to 845+60, from 85 feet to 135 feet left of the reference line, from approximately 1 to 20+ feet below grade. Approximately 195 cubic yards or 332 tons of contaminated soil will be excavated from this location. Groundwater at this location is contaminated with petroleum and metals.
- Station 845+15 to 845+60, from 45 feet to 85 feet left of reference line, from approximately 1 to 6 feet below ground surface. Approximately 292 cubic yards or 496 tons of contaminated soil will be excavated from this location.
- Station 898+90 to 899+30, from 95 feet to 145 feet left of reference line, from approximately 1 to 8 feet below ground surface. Approximately 0 cubic yards or 0 tons of contaminated soil will be excavated from this location.

Landfill of Solid Waste

Laboratory analytical testing of soil provided in the Phase 2.5 Investigation Report identified chlorinated volatile organic compounds (CVOCs) contaminated soil. The DNR concurs that the soil be appropriately field screened, segregated and managed, and transported to a DNR-licensed solid waste landfill for disposal. The specific landfill area is:

- Station 897+98 to 898+08, from 103 feet 113 feet right of reference line, from approximately 1 to 5 feet below ground surface. Approximately 0 cubic yards or 0 tons of contaminated soil will be excavated from this location.

Other Conditions

If groundwater handling or dewatering is necessary during the project, the work shall be temporarily stopped while the engineer is notified and provides a recommendation. All groundwater shall be evaluated for petroleum, CVOCs and/or metals, and appropriately disposed to a sanitary sewer with prior approval from the City of Milwaukee and the Milwaukee Metropolitan Sewerage District (MMSD). No accumulated groundwater from dewatering may be returned to the project.

If contaminated soil or waste material is encountered here or elsewhere during the project, work shall be temporarily stopped while the engineer is notified. The DNR also recommends that all construction activities proceed using environmentally sound practices, including proper management and handling of drums and containers, dust suppression, recycling, proper waste disposal, storm water management, and erosion control.

If the project changes from what is currently proposed, or if other environmental issues arise, please contact me at 414-639-4053, or send e-mail to melesa.greene@wisconsin.gov for additional review and concurrence. Thank you.

Sincerely,



Me'le'sa Greene
Hydrogeologist
Remediation & Redevelopment

cc: Andrew Malsom - WisDOT, Kristina Betzold – DNR, Pamela Mylotta – DNR, Michele Norman – DNR, Matt Matrise – DNR, Casey Wierzchowski – WisDOT, Timothy Alessi – DNR

SER File

APPENDIX E
SECTION 106 COORDINATION

From: Laronge, Michael - DNR <michael.laronge@fcpotawatomi-nsn.gov>
Sent: Thursday, August 13, 2020 1:45 AM
To: LeVeque, Joshua - DOT
Subject: RE: WisDOT request for comment and notification of Federal undertaking under 36 CFR 800 (1228-28-00/70)

Re: WisDOT Project ID 1228-28-00/70, IH 43 North South Freeway (Brown Street to Capitol Drive), Milwaukee County, Wisconsin.

Dear Mr. LeVeque,

Pursuant to consultation under Section 106 of the National Historic Preservation Act (1966 as amended) the Forest County Potawatomi Community (FCPC), a Federally Recognized Native American Tribe, reserves the right to comment on Federal undertakings, as defined under the act.

This response is regarding the projects mention above. Tribal Historic Preservation Office (THPO) staff has reviewed the materials you provided for the project. The FCPC THPO is pleased to offer a finding of no historic properties affected, with two conditions. First, should the SHPO comments differ the Tribe reserves the right to reconsider based on the new information provided. Second, in the event that human remains or archaeological materials are exposed as a result of project activities work must halt and the Tribe must be included in any consultation regarding treatment and disposition of the find prior to removal.

Your interest in protecting Wisconsin's cultural and historic properties is appreciated. If you have any questions or concerns, please contact me at the email or number listed below.

Respectfully,

Michael LaRonge
Tribal Historic Preservation Officer
Cultural Preservation Division
Forest County Potawatomi Community
8130 Mish ko Swen Drive
P.O. Box 340
Crandon, Wisconsin 54520
Phone: 715-478-7354
Email: Michael.LaRonge@FCPotawatomi-nsn.gov

From: LeVeque, Joshua - DOT <Joshua.LeVeque@dot.wi.gov>
Sent: Friday, July 17, 2020 8:00 AM
To: DOT DL THPOs <DOTDLTHPOs@dot.wi.gov>
Cc: DOT BEES Cultural Resources <bees.cr@dot.wi.gov>; Shinnars, Dana M - DOT <dana.shinnars@dot.wi.gov>; 'Caron Kloser' <CKloser@HNTB.com>; 'mikew@badriver-nsn.gov' <mikew@badriver-nsn.gov>; Ned Daniels Jr. <Ned.DanielsJr@fcpotawatomi-nsn.gov>; 'marlon.whiteeagle@ho-chunk.com' <marlon.whiteeagle@ho-chunk.com>; 'louis.taylor@lco-nsn.gov' <louis.taylor@lco-nsn.gov>; 'jwildcatsr@ldftribe.com' <jwildcatsr@ldftribe.com>; 'chairman@mitw.org' <chairman@mitw.org>; Shannon Holsey <shannon.holsey@mohican-nsn.gov>; 'thill7@oneidanation.org' <thill7@oneidanation.org>; 'rick.peterson@redcliff-nsn.gov' <rick.peterson@redcliff-nsn.gov>; 'susanl@stcroixtribalcenter.com' <susanl@stcroixtribalcenter.com>; 'garland.mcgeschick@scc-nsn.gov'

<garland.mcgeshick@scc-nsn.gov>

Subject: WisDOT request for comment and notification of Federal undertaking under 36 CFR 800 (1228-28-00/70)

WisDOT Project: 1228-22-00/70

Highway/Termini: IH 43 North South Freeway, Brown Street to Capitol Drive

County: Milwaukee

The Wisconsin Department of Transportation (WisDOT), in cooperation with the Federal Highway Administration (FHWA), is considering an undertaking located along IH 43 from Brown Street to Capitol Drive, in Milwaukee County. The proposed resurfacing and bridge rehabilitation undertaking will consist of the following:

- Reconstructing the inside and outside shoulders, to allow for an additional lane on IH 43 northbound and southbound from Brown Street to Locust Street, and auxiliary lanes between ramps from Locust Street to Capitol Drive.
- Mill and asphalt overlay of the existing lanes on IH 43
- Mill and asphalt overlay of ramps within the project limits
- Bridge deck replacement and painting of the Locust Street and Burleigh Street bridges over IH 43
- Painting of the Center Street bridge over IH 43
- Bridge deck overlay and painting of the Wright Street and Brown Street bridges over IH 43
- Potential for new noise barriers, as warranted by the noise analysis

The work is anticipated to occur within the existing highway right-of-way.

Your tribe has requested to be notified of undertakings in this area of Wisconsin. Attached is information regarding the proposed undertaking to assist you in providing comments regarding the determination of the area of potential effect (APE) and potential impacts to historic properties and/or burial sites.

WisDOT would be pleased to receive any comments your tribe wishes to share regarding the determination of the APE or potential impacts to historic properties and/or burials in this undertaking. Additionally, you may use this opportunity to request consultation pursuant to 36 CFR 800.3. WisDOT understands that your tribe is a sovereign nation and as such has the discretion to consult government to government with the FHWA directly. Also, other environmental studies may be conducted to include endangered species survey, contaminated material investigations, soil testing and right-of-way surveys. Results of these studies will assist the engineers in the design to avoid, minimize or mitigate the proposed project's effect upon cultural and natural resources. If WisDOT identifies the potential for historic properties to be affected, you will be provided more information.

To ensure your comments are considered during this early phase of project development, WisDOT requests a response within 30 days of receipt of this letter.

If your tribe wishes to become a consulting party under Section 106 of the National Historic Preservation Act or would like to receive additional information regarding this proposed project, please reply to this email or contact:

WisDOT Project Manager: Joshua LeVeque

Phone: (414) 750-1468

Address: Joshua.LeVeque@dot.wi.gov

EC: bees.cr@dot.wi.gov

Dana Shinnors, Regional Tribal Liaison

Tribal Leaders

Caron Kloser, HNTB

Attachments: Project Location Map

Pursuant to 36 CFR 800.3 (a)(1) WisDOT (Cultural Resources) has determined the proposed actions for these undertakings (projects) will have no potential to cause effects to historic properties. No further section 106 obligations are required. However, if the proposed actions for an undertaking (project) should change in any way that would involve ground disturbing activities, additional section 106 coordination is required for that undertaking (project).

<i>County</i>	<i>Main ID</i>	<i>Notification Date</i>	<i>Project Put on Screening List for</i>	<i>Route</i>	<i>Title</i>	<i>Bridge ID</i>
Milwaukee	1100-25-00	01/02/2019	Both Archaeology and History	IH 41	Center Street Bridge	
Milwaukee	1100-28-30	05/06/2009	History Only	USH 45	RR S. of Greenfield Ave to Burleigh St	
Milwaukee	1100-33-00	12/14/2011	Both Archaeology and History	USH 41/45	Good Hope Raod Interchange	
Milwaukee	1100-34-00	12/20/2016	Both Archaeology and History	Zoo Freeway	Hale IC to Lincoln Ave (mainline)	
Milwaukee	1100-35-00	09/13/2016	Both Archaeology and History	Zoo Freeway	Beloit Rd and 92nd St Bridges	
Milwaukee	1100-46-00	11/22/2019	Both Archaeology and History	IH 41	Airport Freeway 60th St Bridge B-40-195	B-40-1013
Milwaukee	1100-46-71	10/13/2020	History Only	STH 36 (Loomis Road)	Project limits are 515' S & 930' N of IH 8	
Milwaukee	1228-02-03	04/04/2011	History Only	IH 43	N/S Freeway Bridge	B40-0115
Milwaukee	1228-02-03	04/04/2011	History Only	IH 43	N/S Freeway Bridge	b40-116
Milwaukee	1228-02-33	10/13/2011	History Only	IH 43	N/S freeway Urt Bridge	b40-115
Milwaukee	1228-03-05	01/24/2018	Both Archaeology and History	Michell Interchange(IH	West-to-South Ramp of Michell Intercha	
Milwaukee	1228-08-00	03/14/2012	Both Archaeology and History	IH 43	IH 43 and North Ave Intersection	
Milwaukee	1228-09-03	09/01/2020	History Only	IH 43	North South Freeway, Mitchel I/C to Mar	
Milwaukee	1228-09-04	01/02/2019	History Only	IH 94	E/W Freeway, Marquette IC	
Milwaukee	1228-18-01	10/24/2018	Both Archaeology and History	North-South Freeway	Bender Rd to N Milwaukee County Line	B-45-017
Milwaukee	1228-18-01	10/24/2018	Both Archaeology and History	North-South Freeway	Bender Rd to N Milwaukee County Line	B-40-338
Milwaukee	1228-18-03	10/02/2018	Both Archaeology and History	IH 43	N/S Freeway, Bender Rd to Brown Deer	
Milwaukee	1228-21-71	08/20/2014	Both Archaeology and History	Ih 43/IH 94 (Valley Brid	Virginia St to 1,500 N of menomonee Riv	b40-271
Milwaukee	1228-21-71	08/20/2014	Both Archaeology and History	Ih 43/IH 94 (Valley Brid	Virginia St to 1,500 N of menomonee Riv	b40-27F-1
Milwaukee	1228-21-71	08/20/2014	Both Archaeology and History	Ih 43/IH 94 (Valley Brid	Virginia St to 1,500 N of menomonee Riv	b40-1121
Milwaukee	1228-21-71	08/20/2014	Both Archaeology and History	Ih 43/IH 94 (Valley Brid	Virginia St to 1,500 N of menomonee Riv	b40-27J
Milwaukee	1228-21-71	08/20/2014	Both Archaeology and History	Ih 43/IH 94 (Valley Brid	Virginia St to 1,500 N of menomonee Riv	B40-27E-1
Milwaukee	1228-21-71	08/20/2014	Both Archaeology and History	Ih 43/IH 94 (Valley Brid	Virginia St to 1,500 N of menomonee Riv	b40-27H
Milwaukee	1228-21-71	08/20/2014	Both Archaeology and History	Ih 43/IH 94 (Valley Brid	Virginia St to 1,500 N of menomonee Riv	B40-27E-2
Milwaukee	1228-21-71	08/20/2014	Both Archaeology and History	Ih 43/IH 94 (Valley Brid	Virginia St to 1,500 N of menomonee Riv	b40-27F-2
Milwaukee	1228-21-71	08/20/2014	Both Archaeology and History	Ih 43/IH 94 (Valley Brid	Virginia St to 1,500 N of menomonee Riv	b40-27G
Milwaukee	1228-21-71	08/20/2014	Both Archaeology and History	Ih 43/IH 94 (Valley Brid	Virginia St to 1,500 N of menomonee Riv	B40-1423
Milwaukee	1228-22-00	12/08/2020	Archaeology Only	Ih 43 North South Free	Brown St to Capitol Drive	
Milwaukee	1228-22-70	06/23/2014	Both Archaeology and History	IH 43 (NB)	North Ave to Bender Rd	b40-0073
Milwaukee	1228-22-70	06/23/2014	Both Archaeology and History	IH 43 (NB)	North Ave to Bender Rd	b40-0115
Milwaukee	1228-22-70	06/23/2014	Both Archaeology and History	IH 43 (NB)	North Ave to Bender Rd	b40-0583
Milwaukee	1228-22-70	06/23/2014	Both Archaeology and History	IH 43 (NB)	North Ave to Bender Rd	B-40-0158
Milwaukee	1228-22-70	06/23/2014	Both Archaeology and History	IH 43 (NB)	North Ave to Bender Rd	b40-0206
Milwaukee	1228-22-70	06/23/2014	Both Archaeology and History	IH 43 (NB)	North Ave to Bender Rd	B-40-0585
Milwaukee	1228-22-70	06/23/2014	Both Archaeology and History	IH 43 (NB)	North Ave to Bender Rd	b40-0687
Milwaukee	1228-22-70	06/23/2014	Both Archaeology and History	IH 43 (NB)	North Ave to Bender Rd	b40-0066
Milwaukee	1228-22-70	06/23/2014	Both Archaeology and History	IH 43 (NB)	North Ave to Bender Rd	b40-0581
Milwaukee	1228-22-70	06/23/2014	Both Archaeology and History	IH 43 (NB)	North Ave to Bender Rd	B40-0116
Milwaukee	1228-22-70	06/23/2014	Both Archaeology and History	IH 43 (NB)	North Ave to Bender Rd	b40-0074
Milwaukee	1228-22-70	06/23/2014	Both Archaeology and History	IH 43 (NB)	North Ave to Bender Rd	b40-0204
Milwaukee	1228-22-70	06/23/2014	Both Archaeology and History	IH 43 (NB)	North Ave to Bender Rd	b40-0602
Milwaukee	1228-22-70	06/23/2014	Both Archaeology and History	IH 43 (NB)	North Ave to Bender Rd	b40-0577
Milwaukee	1228-22-70	06/23/2014	Both Archaeology and History	IH 43 (NB)	North Ave to Bender Rd	b40-0208



SECTION 106 REVIEW ARCHAEOLOGICAL/HISTORICAL INFORMATION

Wisconsin Department of Transportation
DT1635 6/2014

For instructions, see [FDM Chapter 26](#).

I. PROJECT INFORMATION

Amended Submittal (include new information only)

Project ID 1228-22-00/70	Highway – Street IH-43	County Milwaukee
Project Termini IH-43 from Brown Street to Capitol Drive		Region – Office Southeast
Regional Project Engineer – Project Manager Jesse Jefferson		(Area Code) Telephone Number 414-750-3733
Consultant Project Engineer – Project Manager Caron Kloser		(Area Code) Telephone Number 414-410-6776
Archaeological Consultant NA		(Area Code) Telephone Number
Architecture/History Consultant Heritage Research, LTD		(Area Code) Telephone Number 262-251-7792
Date of Need June 30, 2021		SHSW Number 21-0909
Return a Signed Copy of This Form to Jesse Jefferson		

II. PROJECT DESCRIPTION

Project Length 2.5 miles	Land to be Acquired: Fee Simple 0 acres	Land to be Acquired: Easement 0 acres
-----------------------------	--	--

Distance as measured from existing centerline	Existing	Proposed	Other Factors	Existing	Proposed
Right-of-Way Width	0'-423'	0'-423'	Terrace Width	N/A	N/A
Shoulder	44'-82'	60'-82'	Sidewalk Width	N/A	N/A
Slope Intercept	N/A	N/A	Number of Lanes	6	8 and 6+aux.lanes
Edge of Pavement	53'-72'	53'-72'	Grade Separated Crossing	12	12
Back of Curb Line	56'-85'	56'-85'	Vision Triangle acres	N/A	N/A
Realignment	N/A	N/A	Temporary Bypass acres	N/A	N/A
Other – List:			Stream Channel Change	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Attach Map(s) that Depict "Maximum" Impacts.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Tree Topping and/or Grubbing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Brief Narrative Project Description: Include all ground disturbing activities. For archaeology, include plan view map indicating the maximum area of ground disturbance and/or new right-of-way, whichever is greater. Include all temporary, limited and permanent easements. For amendments (e.g. design refinements, scope changes, etc) description should only include new/added project actions and materials.

The Project resurfaces deteriorating pavement along the mainline, ramps and ramp shoulders, adds a fourth lane along the mainline in each direction from Brown Street to Locust Street, constructs auxiliary lanes between Locust Street and Capitol Drive, adds three new parallel on-ramps, reconstructs the inside shoulders, replaces the median barriers, reconstructs and widens the outside shoulders and rehabilitates five bridges. Improvements are within existing right of way. Bridge improvements will include: Brown Street bridge over I-43 mainline: concrete deck overlay and paint; W. Wright Street bridge over I-43 mainline: concrete deck overlay and paint; Center Street bridge over I-43 mainline: paint; W. Locust Street bridge over I-43 mainline: deck replacement and paint; and W. Burleigh Street bridge over I-43 mainline: Deck replacement and paint. Five traffic noise abatement barriers have been identified as reasonable and feasible. A final decision on whether the barriers will be constructed will be determined through a public involvement process that will be completed during final design.

Add continuation sheet, if needed.

SECTION 106 REVIEW ARCHAEOLOGICAL/HISTORICAL INFORMATION *(continued)*

Wisconsin Department of Transportation DT1635

III. CONSULTATION

How has notification of the project been provided to:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Property Owners | <input checked="" type="checkbox"/> Historical Societies/Organizations | <input checked="" type="checkbox"/> Native American Tribes |
| <input type="checkbox"/> Public Information Meeting Notice | <input type="checkbox"/> Public Information Meeting Notice | <input type="checkbox"/> Public Info. Mtg. Notice |
| <input checked="" type="checkbox"/> Letter - Required for Archaeology | <input checked="" type="checkbox"/> Letter | <input checked="" type="checkbox"/> Letter |
| <input checked="" type="checkbox"/> Telephone Call | <input type="checkbox"/> Telephone Call | <input type="checkbox"/> Telephone Call |
| <input type="checkbox"/> Other: | <input type="checkbox"/> Other: | <input type="checkbox"/> Other: |

Attach one copy of the base letter, list of addresses and comments received. For history include telephone memos as appropriate.

IV. AREA OF POTENTIAL EFFECTS – APE

ARCHAEOLOGY: Area of potential effect for archaeology is the existing and proposed ROW, temporary and permanent easements. Agricultural practices do not constitute a ground disturbance exemption.

HISTORY: Describe the area of potential effects for buildings/structures.

The area of potential effect has been defined to include those structures that are immediately adjacent to, or fronting on, the proposed IH-43 improvement.

V. PHASE I – ARCHAEOLOGICAL OR RECONNAISSANCE HISTORY SURVEY NEEDED

ARCHAEOLOGY	HISTORY
<input type="checkbox"/> Archaeological survey is needed	<input checked="" type="checkbox"/> Architecture/History survey is needed
<input checked="" type="checkbox"/> Archaeological survey is not needed	<input type="checkbox"/> Architecture/History survey is not needed
<input checked="" type="checkbox"/> Screening list 12/8/2020 (date)	<input type="checkbox"/> Screening list (date)
<input type="checkbox"/> Burial site in project area, Wis. Stat. 157.70 applies	<input type="checkbox"/> No structures or buildings of any kind within APE
	<input type="checkbox"/> Non-Survey History Documentation attached

VI. SURVEY COMPLETED

ARCHAEOLOGY	HISTORY
<input type="checkbox"/> NO archaeological sites(s) identified – ASFR attached	<input type="checkbox"/> NO buildings/structures identified – Report attached
<input type="checkbox"/> NO potentially eligible site(s) in project area – Phase I Report attached	<input type="checkbox"/> Potentially eligible buildings/structures identified in the APE – Report attached
<input type="checkbox"/> Potentially eligible site(s) identified-Phase I Report attached	<input type="checkbox"/> Avoided through redesign
<input type="checkbox"/> Avoided through redesign	<input checked="" type="checkbox"/> Previously listed/eligible property identified in the APE – Report attached
<input type="checkbox"/> Phase II conducted – go to VII (Evaluation)	
<input type="checkbox"/> Phase I Report – Cemetery/cataloged burial documentation	

VII. DETERMINATION OF ELIGIBILITY (EVALUATION) COMPLETED

<input type="checkbox"/> No arch site(s) eligible for NRHP – Phase II Report attached	<input type="checkbox"/> No buildings/structure(s) eligible for NRHP – DOE attached
<input type="checkbox"/> Arch site(s) eligible for NRHP – Phase II Report attached	<input type="checkbox"/> Building/structure(s) eligible for NRHP – DOE attached
<input type="checkbox"/> Site(s) eligible for NRHP – DOE attached	


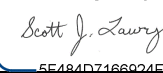
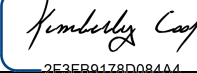
VIII. COMMITMENTS/SPECIAL PROVISIONS – must be included with special provisions language

- Per Wis. Stat. 157.70 obtain burial authorization from WHS one year prior to construction.

IX. PROJECT DECISION

- No historic properties (historical or archaeological) in the APE.
- No historic properties (historical or archaeological) affected.
- Historic properties (historical and/or archaeological) may be affected by project;
- Go to Step 4: Assess affects and begin consultation on affects.
- Documentation for Determination of No Adverse Effects is included with this form. WisDOT has concluded that this project will have No Adverse Effect on historic properties. Signature by SHPO below indicates SHPO concurrence in the DNAE and concludes the Section 106 Review process for this project.

X. SIGNATURES

<p><input checked="" type="checkbox"/>  05/27/2021</p> <p>(Regional Project Manager Signature) (Date – m/d/yy)</p>	<p><input checked="" type="checkbox"/>  28 June 2021</p> <p>(WisDOT Historic Preservation Officer Signature) (Date – m/d/yy)</p>	<p><input checked="" type="checkbox"/>  16 July 2021</p> <p>(State Preservation Officer Signature) (Date – m/d/yy)</p>
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Caron Kloser 5/27/21

(Consultant Project Manager Signature) (Date – m/d/yy)

CORRESPONDENCE/MEMORANDUM-----State of Wisconsin
Division of Transportation System Development/ Bureau of Technical Services/ Environmental Services Section

Date: 3/9/2022
To: Kim Cook, SHPO
From: WisDOT BTS Cultural Resource Team
Subject: WisDOT I.D. 1228-22-00/70, IH-43, Milwaukee County

Kim,

The initial 106 Review for project 1228-22-00/70 was submitted on May 27, 2021. SHPO concurred with a determination of no adverse effect to the National Register-listed Chief Lippert Fire Station (AHI# 28730) and the determined eligible Messmer High School (AHI# 115568) on July 16, 2021. Since that time, project activities have downsized to no longer include a fourth lane in each direction between Brown Street and Locust Street and the number of parallel on ramps have been reduced from three to one (9th Street southbound entrance ramp). The existing three 12-foot mainline lanes will be modified to two 11-foot lanes and one 12-foot lanes and one 12-foot lane between North Avenue and Capitol Drive in each direction. Five traffic noise abatement barriers are no longer proposed. The work adjacent to the historic properties included in the initial Section 106 submittal has not changed. No additional work was needed because the APE decreased, and everything was covered previously. No additional documentation is recommended.

Regards,

Erin Kelly